



The Town of Hilton Head Island Regular Town Council Meeting

May 20, 2014

4:00 P.M.

AGENDA

**As a Courtesy to Others Please Turn Off/Silence All Mobile Devices During
the Town Council Meeting**

- 1) Call to Order**
- 2) Pledge to the Flag**
- 3) Invocation**
- 4) 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.
- 5) Proclamations and Commendations**
 - a. Hilton Head Preparatory School “Dolphins” Varsity Boys Tennis Team
 - b. Emergency Medical Services Week
 - c. Building Safety Month
- 6) Approval of Minutes**
 - a. Town Council Meeting – May 6, 2014
- 7) Report of the Town Manager**
 - a. Hazard Mitigation Plan Annual Progress Report
 - b. Town Manager’s Items of Interest
 - c. April, 2014 Policy Agenda, Management Targets and CIP Updates
- 8) Reports from Members of Council**
 - a. General Reports from Council
 - b. Report of the Intergovernmental Relations Committee – George Williams, Chairman
 - c. Report of the Personnel Committee – Lee Edwards, Chairman
 - d. Report of the Planning & Development Standards Committee – John McCann, Chairman
 - e. Report of the Public Facilities Committee – Kim Likins, Chairman
 - f. Report of the Public Safety Committee – Marc Grant, Chairman
 - g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member
- 9) Appearance by Citizens**

10) Unfinished Business

None.

11) New Business

a. First Reading of Proposed Ordinance 2014-12

First Reading of Proposed Ordinance 2014-12 of the Town of Hilton Head, South Carolina, authorizing the execution of a sanitary sewer easement agreement granting an easement by the Town of Hilton Head Island to South Island Public Service District for the construction, repair, maintenance, and use of a sanitary sewer line through property of the Town of Hilton Head Island, pursuant to the authority of S.C. Code Ann. Sec. 5-7-40 (Supp. 2011), and Sec. 2-7-20, *Code of the Town of Hilton Head Island, South Carolina*, (1983); and providing for severability and an effective date.

b. Consideration of a Resolution – Rhiner Drive, Outlaw Road and Wiley Lane

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, authorizing condemnation, pursuant to S.C. Code Section 28-2-10, *et seq.*, of right-of-way rights in parcels adjacent to, surrounding, and/or otherwise containing portions of Rhiner Drive, Outlaw Road, and Wiley Lane.

c. First Reading of Proposed Ordinance 2014-11

First Reading of Proposed Ordinance 2014-11 approving the Amended Tax Increment Financing Plan for the Town of Hilton Head Island, Redevelopment Plan, March 2014; and providing for severability and an effective date.

12) 5:00 P.M. – PUBLIC HEARING – Amendment to Tax Increment Financing Plan for the Town of Hilton Head Island Redevelopment Areas

13) Executive Session

- a. Land Acquisition
- b. Legal Matters
- c. Contractual Matters

13) Adjournment

Commendation

By the

Town of Hilton Head Island

Congratulating

All Members of the Hilton Head Preparatory School “Dolphins” Varsity Boys Tennis Team on Capturing the SCISA Class 3-A State Championship

WHEREAS, Hilton Head Preparatory School “Dolphins” Varsity Boys Tennis Team defeated Hilton Head Christian Academy “Eagles” by a score of 5-3 in a victory to win the South Carolina Independent School Association Class 3-A State Championship on May 3, 2013; and

WHEREAS, it is stated in the mission of the Athletic Department of Hilton Head Preparatory School that having athletes build a positive self-image instills a sense of pride in themselves, their friends and their school; and

WHEREAS, it is a strong belief at Hilton Head Preparatory School that competing in the athletic arena helps young people develop character, self-discipline and responsibility through the experience of success and failure; and

WHEREAS, we applaud Head Coach Clint Van Aswegen for his commitment to that belief in coaching the Hilton Head Preparatory School boys tennis program; and

WHEREAS, the Hilton Head Island Town Council recognizes and congratulates each team member: Angelo Carrabba, Sam Fried, Jack Kelly, Amit Kohli, Colton Lavery, Justin Perez, Justin Stubblefield, and Jared Woodson for a very successful and impressive season achieving excellence in their sport and bringing home the State Title.

NOW, THEREFORE, I, Drew A. Laughlin, Mayor, of the Town of Hilton Head Island, South Carolina, on behalf of the Town Council, do hereby commend and congratulate Hilton Head Preparatory School “Dolphins” Varsity Boys Tennis Team and Head Coach on capturing the SCISA Class 3-A State Championship

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed 20th day of May two thousand and fourteen.

Drew A. Laughlin, Mayor

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

***WHEREAS,** emergency medical services is a vital public service; and*

***WHEREAS,** the members of Hilton Head Island Fire Rescue are ready to provide lifesaving care to those in need 24 hours a day, 7 days a week; and*

***WHEREAS,** access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and*

***WHEREAS,** the emergency medical services system consists of emergency physicians, nurses, and medical technicians, as well as paramedics, firefighters, first responders, educators, administrators, and others; and*

***WHEREAS,** it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.*

NOW, THEREFORE, I, Drew A. Laughlin, Mayor, of the Town of Hilton Head Island, South Carolina do hereby proclaim May 18 -24, 2014 as

EMERGENCY MEDICAL SERVICES WEEK

*in the Town of Hilton Head Island, South Carolina, with the theme, **EMS: Dedicated. For Life.** I encourage the community to observe this week with appropriate programs, ceremonies and activities.*

IN TESTIMONY WHEREOF,** I have hereunto set my hand and caused this seal of the Town of Hilton Head Island to be affixed this **Twentieth day of May, in the Year of our Lord, Two Thousand and Fourteen.

Drew A. Laughlin, Mayor

Attest:

Victoria L. Pfannenschmidt, Town Clerk

Proclamation

BY
THE TOWN OF HILTON HEAD ISLAND

***WHEREAS**, our Town’s continuing efforts to address the critical issues of safety, energy efficiency and resilience in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and*

***WHEREAS**, our confidence is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, laborers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and*

***WHEREAS**, the dedicated members of the International Code Council create and implement the highest quality codes to protect Americans in the buildings where we live, learn, work, worship, and play, including safeguards to protect the public from natural disasters; and*

***WHEREAS**, “Building Safety: Maximizing Resilience, Minimizing Risks” is the 2014 theme for Building Safety Month to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation; backyard safety; energy efficiency and new technologies in the construction industry. Building Safety Month 2014, encourages appropriate steps everyone can take to ensure all buildings are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies, and,*

***WHEREAS**, in observance of Building Safety Month, Americans are asked to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided by local and state building departments and federal agencies in protecting lives and property.*

NOW, THEREFORE, I, Drew Laughlin, Mayor of the Town of Hilton Head Island, do hereby proclaim the month of May 2014 as

BUILDING SAFETY MONTH

And I encourage our citizens to join with their communities in participation in Building Safety Month activities.

IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused this seal of the **Town of Hilton Head Island** to be affixed this **Twentieth day of May, in the Year of our Lord, Two Thousand and Fourteen.

Drew A. Laughlin, Mayor

Attest:

Victoria L. Pfannenschmidt, Town Clerk

THE TOWN OF HILTON HEAD ISLAND
REGULAR TOWN COUNCIL MEETING

Date: Tuesday, May 6, 2014

Time: 4:00 P.M.

Present from Town Council: Drew A. Laughlin, *Mayor*; Bill Harkins, *Mayor Pro Tem*; George Williams, Kim Likins, Lee Edwards(joined meeting at 5:27 p.m.), Marc Grant, John McCann, *Council Members*

Present from Town Staff: Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Lavarn Lucas, *Fire Chief*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Tom Fultz, *Director of Administrative Services*; Nancy Gasen, *Director of Human Resources*; Susan Simmons, *Director of Finance*; Bret Martin, *Deputy Director of Finance*; Brad Tadlock, *Deputy Fire Chief of Operations*; Ed Boring, *Deputy Fire Chief of Support Services*; Brian Hulbert, *Staff Attorney*; Lisa Stauffer, *Senior Human Resources Administrator*; Jeff Buckalew, *Town Engineer*; Darrin Shoemaker, *Traffic and Transportation Engineer*; Shawn Colin, *Deputy Director of Community Development*; Heather Colin, *Development Review Administrator*; Jennifer Ray, *Urban Designer*; Jayme Lopko, *Senior Planner*; Waymon Durden, *Commercial Combination Inspector*; Julian Walls, *Facilities Manager*; Joheida Fister, *Fire Marshal*; Cinda Seamon, *Public Education Officer*; Victoria Shanahan, *Accounting Manager*; Jennifer Lyle, *Assistant Town Engineer*; Melissa Cope, *Systems Analyst*; Vicki Pfannenschmidt, *Executive Assistant*

Present from Media: Dan Burley, *Island Packet*

1) CALL TO ORDER

Mayor Laughlin called the meeting to order at 4:00 p.m. Mayor Laughlin noted that Mr. Edwards would be late.

2) PLEDGE TO THE FLAG

3) INVOCATION

4) 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.

5) Proclamations and Commendations

a. Public Service Recognition Week

Brad Tadlock, Scott Liggett and Waymon Durden were present to accept the proclamation.

6) Approval of Minutes

a. Town Council Meeting – April 22, 2014

Mr. Harkins moved to approve. Mr. McCann seconded. The minutes of the April 22, 2014 Town Council meeting were approved by a vote of 6-0.

b. Town Council Workshop – April 22, 2014

Mrs. Likins moved to approve. Mr. McCann seconded. The minutes of the April 22, 2014 Town Council Workshop were approved by a vote of 6-0.

7) Report of the Town Manager

a. Town Manager's Items of Interest

Mr. Riley reported on some items of interest. He announced there would be a Public Hearing regarding the Amended TIF Plan held on Tuesday, May 20, 2014 at 5:00 p.m.

b. Presentation of the Government Finance Officers Association's Distinguished Budget Presentation Award for fiscal year beginning July 1, 2013

Mayor Laughlin presented the award to Victoria Shanahan.

c. Presentation on Proposed Shelter Cove Park Plan

Mr. Wallace Milling of Witmar – Jones - Keifer, Ltd. conducted a review of the plans for the park.

8) Reports from Members of Council

a. General Reports from Council

Mr. Williams stated he attended the Governmental Affairs Committee of the Hilton Head Island Chamber of Commerce. He said Senator Davis was present to update all on the happenings in Columbia.

Mr. Grant stated he attended the Penn Center Gala on behalf of the Town. He said it was a very informational, educational and inspiring. He suggested an initiative concerning early childhood development and education.

Mr. Grant spoke concerning the attributes of the South Carolina State University, noting he is an alumnus. He encouraged all to support the University.

Mr. McCann suggested using the ATAX money that is in reserve for the capital improvements of the Arts Center to address either the sound system or stage repair. Mayor Laughlin stated it would have to go through the Accommodations Tax Advisory Committee for a recommendation and asked that the Town Manager look into this further.

b. Report of the Intergovernmental Relations Committee – George Williams, Chairman

No report.

c. Report of the Personnel Committee – Lee Edwards, Chairman

Mr. Williams reported the Committee would meet to conducting interviews on Wednesday, May 7. Mr. McCann recommended Town Council review Boards and Commissions procedures for selecting chairpersons. Mayor Laughlin agreed it should be reviewed.

d. Report of the Planning & Development Standards Committee – John McCann, Chairman

No report.

e. Report of the Public Facilities Committee – Kim Likins, Chairman

Mrs. Likins stated the Committee met earlier in the day to review an easement request from South Island Public Service District and recommended to move it forward to Town Council. She stated they also made a recommendation that Council review the Town policy for the acceptance of private roads.

f. Report of the Public Safety Committee – Marc Grant, Chairman

Mr. Grant stated the Committee met on May 5 to review the 1st Quarter Crime Statistics and gave a brief summary.

Mr. McCann suggested signage be placed at the entrance to Hilton Head Island notifying travelers of the Town ban on use of handheld devices while driving.

g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member

Mrs. Likins stated the Committee has completed their work and they have passed the LMO Rewrite on to the Planning Commission for review.

9) Appearance by Citizens

None.

10) Unfinished Business

a. Second Reading of Proposed Ordinance 2014-08

Second Reading of Proposed Ordinance 2014-08 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a contract for purchase and sale and the execution of a deed for the sale of 10 acres of real property near William Hilton Parkway and Mathews Drive to Pineland Associates II, LLC pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2011), and § 2-7-20, *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. McCann seconded. The motion was approved by a vote of 6-0.

11) New Business

a. First Reading of Proposed Ordinance 2014-09

First Reading of Proposed Ordinance 2014-09 to amend Title 16, the Land Management Ordinance, of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-4-102, the Official Zoning Map, the Hilton Head Plantation Master Plan, specifically rezoning 0.14 acres identified as parcel 263 on Beaufort County Tax Map 3 to add Telecommunications Facilities as a permitted use on the property and providing for severability and an effective date.

Mr. Harkins moved to approve. Mr. McCann seconded. The motion was approved by a vote of 6-0.

b. First Reading of Proposed Ordinance 2014-10

First Reading of Proposed Ordinance 2014-10 to raise revenue and adopt a budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2015; to establish a property tax levy; to establish funds; to establish a policy for acquisition of rights of way and easements; and providing for severability and an effective date.

Mr. Harkins moved to approve. Mrs. Likins seconded.

Mr. Riley conducted an overview of the general, capital projects, debt service and storm water funds. He stated there is continued focus on controlling expenditures and maintaining service levels while determining what new commitments can be realized.

Mr. Williams stated he would like to see Town Council participate in a matching grant with First Tee and a fund created to assist with future dredging projects. He said he would like to discuss the topics at the CIP Workshop.

Mr. Harkins noted concern with the amount for the proposed Economic Development Corporation budget stating he would like to hear from them. Mr. Riley stated they would be on the Affiliated Agencies Workshop agenda and have the opportunity to speak at that time.

The workshop dates were distributed along with the proposed budget. Mr. Riley asked that Council members review the document and stated that questions in advance of the next workshop would be appreciated. The vote to adopt the budget on First Reading was approved by a vote of 6-0.

c. Consideration of a Resolution – SCDOT Agreement/Windmill Harbour Intersection Improvements

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, consenting to the construction and/or improvements in connection with that certain project of the South Carolina Department of Transportation known as “SC File 07.041808 (PIN: 41808_RD01) – intersection improvement along us route 278 (William Hilton Parkway) at the Windmill Harbour entrance within the town limits of Hilton Head Island, Beaufort County”, in accordance with the project plans of said project.

Mr. Williams moved to approve. Mr. McCann seconded. The motion was approved by a vote of 6-0.

d. Consideration of a Resolution – SCDOT Agreement/Bridge Replacement over Jarvis Creek along Spanish Wells Road

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina, consenting to the construction and/or improvements in connection with that certain project of the South Carolina Department of Transportation known as “SC File 07.039102 (pin: 39102_BR01) – bridge replacement over Jarvis Creek along S-79 (Spanish Wells Road) within the town limits of Hilton Head Island, Beaufort County”, in accordance with the project plans of said project.

Mr. Williams moved to approve. Mr. McCann seconded. The motion was approved by a vote of 6-0.

e. Consideration of Projects to be Submitted for the Beaufort County Capital Projects Sales Tax Commission.

Mr. Harkins moved to approve. Mr. McCann seconded.

Mr. Edwards joined the meeting at this time.

Mr. Riley distributed a revised list of projects, a suggested project provided by Walt Graver and an updated estimate for the Ward One Sewer Projects. After lengthy discussion Council prioritized the revised list. Mr. Peter Ovens and Mr. Campbell offered suggestions concerning the projects. Mr. Harkins moved that the list of projects, as prioritized, be submitted to the Beaufort County Capital Projects Sales Tax Commission. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0.

12) Executive Session

Mr. Riley stated he needed an Executive Session on contractual matters pertaining to land acquisition, including possible acquisition by condemnation; contractual matters pertaining to possible lease of town-owned land; a request for right-of-entry over town-owned land from South Island PSC; and legal matters pertaining to pending litigation.

At 5:44 p.m. Mr. Williams moved to go into Executive Session for the reasons given by the Town Manager. Mrs. Likins seconded. The motion was approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 6:29 p.m. and stated there was no business as a result of the Executive Session.

12) Adjournment

Mr. Grant moved to adjourn. Mr. McCann seconded. The motion was unanimously approved by a vote of 7-0. The meeting was adjourned at 6:30 p.m.

Vicki Pfannenschmidt,
Executive Assistant/Town Clerk

Approved:

Drew A. Laughlin, Mayor



TOWN OF HILTON HEAD ISLAND

Community Development Department

TO: Stephen G. Riley, ICMA-CM, *Town Manager*
VIA: Shawn Colin, *Deputy Director of Community Development*
FROM: Marcy Benson, *Senior Grants Administrator*
DATE May 5, 2014
SUBJECT: Hazard Mitigation Plan Annual Progress Report

SUMMARY

The attached report is an annual evaluation on progress toward implementing the objectives of the Hazard Mitigation Plan which was adopted by Town Council in 2011 as an appendix to the current Town of Hilton Head Island Comprehensive Plan. The Town of Hilton Head Island was a partner with Beaufort County in developing the Beaufort County Hazard Mitigation Plan 2009 Update which contains ten (10) County-wide goals. Of these goals, seven (7) goals pertain to The Town of Hilton Head Island and are listed in the attached annual report, by goal number.

BACKGROUND

To maintain credit in the floodplain management planning section of National Flood Insurance Program Community Rating System (CRS) an annual report evaluating progress towards implementing the Hazard Mitigation Plan objectives and goals must be prepared, submitted to the Town Council, released to the media and made available to the public.

The annual progress report is prepared by Town staff to ensure there is a continuing and responsive planning process. The report is presented to Town Council prior to recertification of the Town's CRS status. The report is available to the public for review via the Town's website, or by contacting Town staff in the Community Development Department for copies.

2014 Hazard Mitigation Plan Progress Report

This is the annual progress report of the Beaufort County Hazard Mitigation Plan, which was adopted on November 1, 2011. The report is prepared by Town of Hilton Head Island Community Development Department staff to ensure there is a continuing and responsive planning process. This report is presented to Town Council on May 20, 2014 and is available to the public for review via the Town's website, or by contacting Town staff in the Community Development Department for copies.

Goal	Objectives	Mitigation Actions	Status Report
Goal 1			
Improve protection of critical facilities.	Identify at-risk facilities in the 100 year floodplain and within areas subject to storm surge inundation.	Continue engineering inspections of fire stations and Town owned buildings to determine retrofitting measures necessary for wind and flood.	Inspections have been completed and one new facility has been built. Shutters able to withstand a Category Five hurricane and fire sprinklers have been installed at six of the seven fire station facilities, Fire & Rescue Headquarters and Facilities Management buildings.
	Develop measures to address the risk to vulnerable critical facilities to prevent future damages.	Inspect vulnerable bridges and causeways to determine ones to be replaced or retrofitted. Prioritize maintenance.	Completed as a partnership with Beaufort County in 2012.
Goal 2			
Enhance the hazards education/public information program.	Identify and solicit low cost of no cost partners such as TV, radio, newspapers.	Work with regional media to promote public awareness of disaster preparedness and mitigation strategies.	Television stations broadcast disaster awareness messages as an ongoing effort.
		Distribute "Citizen's Guide To Flood Awareness" and "Citizen Guide to Emergency Preparedness" publications regularly.	On-going. The Town participated in several media interviews and spoke to citizen groups on hurricane preparedness. The <i>Town Citizens Preparedness Guide</i> , which includes information

			on general preparedness, flooding, earthquakes, and hurricanes, is available to the public. An updated version of the <i>Citizens Preparedness Guide</i> is in the process of being developed.
		Use EMD's centralized information technology system to access pertinent information during a disaster.	The Town has computerized FEMA damage assessment forms and developed a spreadsheet linked to the Beaufort County Assessors data to expedite the damage assessment reporting process. Information will be available to the Town's emergency permitting center to expedite the permitting process. Information is shared with all municipalities with MOU.
Goal 6			
Continue to identify drainage problems and work towards their resolution.	Ensure proper maintenance of existing drainage systems and the improvements and replacements as necessary and expand existing drainage system to meet increasing demands.	Continue to implement structural drainage projects.	The Town budgets annual funds for maintenance and capital improvements necessary to mitigate structural drainage problems and has four on-call, competitively bid contracts in place for infrastructure maintenance and construction. The Town has acquired drainage maintenance and access rights over systems in planned developments comprising 70% of the area on island.
		Continue to support Beaufort County's SWM utility plan	The Town executed a new updated stormwater

			management agreement with the County in 2011 and continues to coordinate budget and construction issues with Beaufort County.
		Study poorly drained areas and remedy them through best practices.	The Town is concluding watershed plan development for the three watersheds initiated in 2012 and beginning work to develop a watershed plan for the headwaters of Broad Creek for 2014/2015. This area is comprised of two distinct (sub) watersheds.
Goal 7			
Preserve and protect natural resources.	Much of the county's marshland should be preserved for water quality and flood water storage purposes through the use of wetland buffers, wetlands protection and river buffers. Promote open space initiatives. Continue the planning and implementation of projects from the Island Wide Drainage Study.	Continue to use land purchasing plan to obtain flood prone properties and designate them as open space.	On-going
		Continue to perform periodic beach renourishment projects.	On-going.
Goal 8			
Continue to ensure emergency response personnel are adequately equipped.	Focus on pre- and post-disaster coordination and access to important information.	GPS systems available for emergency personnel.	GPS systems continue to be available to emergency personnel to be used pre-disaster and post-disaster. GPS capability are held in storage and distributed at the time they are needed. Access to

			these systems is by way of contacting emergency management staff. Standard Operating Guides and Plans have been developed that identify GPS coordinates of critical facilities and provide specific direction on accessing those facilities. The Town continues to expand and update Emergency Operations Plans for pre-disaster and post-disaster response. Emergency response crews will have continuous access to information through multiple sources including Computer Aided Dispatch (CAD), Fire & Rescue Radios, Cell Phones and Satellite Phones.
		Conduct periodic surveys of equipment used by emergency personnel and budget upgrades to facilitate safety and rapid recovery.	On-going. Equipment used by emergency personnel for pre-disaster and post-disaster operations are surveyed as needed and on an annual basis. This survey is conducted by emergency management staff and other Fire & Rescue Personnel. Emergency personnel survey equipment based on SOGs that include daily and weekly checks. A ten year replacement plan is in place for all Fire & Rescue apparatus, vehicles and equipment. Fire & Rescue has

			replaced five of the seven fire stations with one currently under construction. This will ensure all fire stations are elevated and can with stand a Category 3 Hurricane.
Goal 9			
Ensure the communities continue to be compliant with NFIP requirements, that flood risk maps are accurate and up-to-date and the flood maps are used to achieve FEMA mandated compliance within special flood hazard area.	Work with FEMA to conduct restudies as necessary to ensure maps are accurate and continue to include flood development permitting as an important part of building and development permitting.	Complete work with SCDNR to update FIRM's based on more accurate topography.	On-going. Maps were originally to be introduced in spring of 2012. According to State Floodplain Manager, maps were postponed to fall 2012. Town staff attended the State Floodplain Managers Conference in March 2012 and told maps were again postponed until spring 2013. Town staff was advised in 2013 new maps may be introduced in spring 2014. Town staff has been working with companies conducting the remapping of the area and preliminary maps are expected in the fall of 2014.
		Complete work with the USACE and FEMA to develop new maps and incorporate into County FIRM's.	On-going
		Update all flood maps with new municipal and County boundaries.	On-going
Goal 10			
Promote building code enforcement by encouraging all policymakers to adopt the most	Inform state and local lawmakers about importance of following all newly adopted codes. Promote	Continue to enforce all floodplain regulations to ensure proper development in compliance with	On-going

up-to-date versions of universally accepted codes.	building codes without amendments to homeowners and homebuilders, demonstrating the added safety measures and cost savings benefits that come with applying the universally accepted building codes to new construction and significant renovations. Encourage property owners to retrofit and renovate homes to meet the current building codes standards as part of continuing maintenance.	building codes, FEMA regulations and any other pertinent laws and ordinances without exception.	
		Continue to train building department personnel on most up-to-date code requirements for hazard resistant construction.	On-going
		Sponsor and conduct workshops for local engineers, architects, and contractors on International Codes and hazard resistant construction.	On-going
		Actively advocate to public officials the adoption of the latest version of the universally accepted building codes without amendments.	On-going



Items of Interest

May 20, 2014

1. Town News

Town Council will hold a Public Hearing on Tuesday, June 10, 2013 at 6:00 p.m. concerning the FY2015 Budget.

(Contact: Susan Simmons, Director of Finance – susans@hiltonheadislandsc.gov or 341-4645)

2. Noteworthy Events

a) Some of the upcoming meetings at Town Hall:

- Planning Commission Special Meeting – May 21, 2014, 3:00 p.m.
- Town Council Budget Workshop – May 21, 2014, 5:00 p.m.
- Town Offices closed in observance of Memorial Day – May 26, 2014
- Design Review Board – May 27, 2014, 1:15 p.m.
- Town Council Budget Workshop – May 29, 2014, 4:00 p.m.
- Public Safety Committee – June 2, 2014, 10:00 a.m.
- Public Facilities Committee – June 3, 2014, 2:00 p.m.
- Town Council – June 3, 2014, 4:00 p.m.

(Meetings subject to change and/or cancellation. Please visit the Town of Hilton Head Island website at www.hiltonheadislandsc.gov for meeting agendas.

2014 Hilton Head Island Events

Monday, May 26, 2014 10:00 a.m.	Memorial Day Observance	Shelter Cove Veterans Memorial Park
------------------------------------	-------------------------	-------------------------------------

**2014 Policy Agenda
Thru April 2014**

Top Priority

Target	Chief Contact	Comments
<ul style="list-style-type: none"> USCB Facility Development 	Jennifer Ray	Consultants finalizing traffic analysis. Surveying and wetland delineation underway. MOU with USCB in progress.
<ul style="list-style-type: none"> Coligny Area Development 	Jennifer Ray	Report of public workshop findings and recommendations were provided at a special Planning Commission meeting on April 23 rd . Consultant is working on studies for potential
<ul style="list-style-type: none"> Island Recreation Center Expansion 	Jill Foster/Scott Liggett	Will be presented as part of CIP portion of the budget.

High Priority

Target	Chief Contact	Comments
<ul style="list-style-type: none"> Land Management Ordinance Rewrite 	Teri Lewis	The LMO Rewrite Committee has completed review of all draft chapters. The LMO Rewrite Committee presented an introduction to draft Chapters 3 and 4 at the Planning Commission meeting on May 7 th and will do the same with draft Chapters 5-7 at the Planning Commission meeting on May 21 st . The public hearing for the rewritten LMO will begin at the Planning Commission meeting on June 4th.
<ul style="list-style-type: none"> Arts Collaboration Study 	Jill Foster	Final report was presented to Town Council on April 22 nd .
<ul style="list-style-type: none"> Chaplin Linear Park 	Jennifer Ray/ Scott Liggett	Consultant working on building revisions and Development Plan Review submittal. Consultant anticipates construction starting in late May/early June, 2014.
<ul style="list-style-type: none"> Heritage Plaza Road Extension 	Shawn Colin/Charles Cousins	Impact of this alternative route will be studied as part of Coligny Plan development
<ul style="list-style-type: none"> Tax Increment Financing Projects Prioritization 	Charles Cousins/ Scott Liggett	Will be presented as part of CIP portion of the budget

Moderate Priority		
Target	Chief Contact	Comments
<ul style="list-style-type: none"> Shelter Cove Park 	Jennifer Ray	Consultant working on building revisions and Development Plan Review submittal. Consultant anticipates construction starting in late May/early June, 2014.
2014 Management Agenda Thru April 2014		
Target	Chief Contact	Comments
<ul style="list-style-type: none"> Economic Development Corporation 	Shawn Colin	Executive Recruitment firm to present Needs Assessment report for Executive Director position to EDC Board on May 13 th .
<ul style="list-style-type: none"> Mathews Drive Side Street Improvement Project: Funding 	Scott Liggett	Complete
<ul style="list-style-type: none"> Employee Compensation: Direction and Funding 	Nancy Gasen	Classification & Compensation Study Final Report has been received/reviewed by staff. Funding for recommendation implementation is included in the proposed FY15 budget.
CIP Monthly Report Thru April, 2014		
Project	Chief Contact	Comments
<ol style="list-style-type: none"> Fire Station #6 Wm. Hilton Parkway / Leamington Intersection Improvements Wm. Hilton Parkway Mast Arm Projects Rowing and Sailing Center Pembroke Drive Pathway Gardner Drive Pathways Ocean Point Interim Beach Fill Project Town Hall – Business License Office Reconfiguration Mathews Drive – side street connectivity 		<ol style="list-style-type: none"> Under Construction. To be completed summer 2014. Substantially complete Substantially complete Under Construction – scheduled for completion in fall 2014. Substantially complete Substantially complete Substantially complete Substantially complete. Contract award pending

Memo

To: Stephen G. Riley, ICMA-CM, Town Manager
From: Jeff Buckalew, Town Engineer
Via: Scott Liggett, Director of Public Projects & Facilities/Chief Engineer
Mitch Thoreson, Town Attorney's office
Date: May 20, 2014
Re: First Reading of Proposed Ordinance 2014-12, a Sanitary Sewer Easement Agreement between the Town and the South Island Public Service District

Recommendation: Staff recommends the approval of Proposed Ordinance 2014-12, authorizing the execution of a Sanitary Sewer Easement Agreement between the Town and the South Island Public Service District (SIPSD), whereby the Town grants an Easement to the SIPSD to construct and maintain an underground sewer facility over and across the Town Hall property (TMS # R550-015-000-0324-0000).

Summary: Approval of the Proposed Ordinance 2014-12 and the associated Easement Agreement would grant a perpetual easement to the SIPSD and its successors and assigns as shown on the attached plat subject to the following terms and conditions as detailed in the Easement Agreement.

Background: SIPSD has requested the Town grant this easement to facilitate the construction and maintenance of a proposed sanitary sewer line to better serve the Long Cove Club residential development. The proposed line will be a 6" diameter force main that will be installed via directional drilling in accordance with the plans prepared by URS and dated February, 2014. No paved areas on Town property will be cut or impacted during construction. The permanent easement is only 5' wide and will run along the planting strip dividing the parking bays of the Town Hall parking lot. To allow the SIPSD to expedite construction at their risk, a temporary Right of Entry has been offered to them.

Attachments:

- Proposed Easement Agreement and Plat

AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND

PROPOSED ORDINANCE NUMBER : 2014-12 ORDINANCE NUMBER: 2014-_____

AN ORDINANCE OF THE TOWN OF HILTON HEAD, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF A SANITARY SEWER EASEMENT AGREEMENT GRANTING AN EASEMENT BY THE TOWN OF HILTON HEAD ISLAND TO SOUTH ISLAND PUBLIC SERVICE DISTRICT FOR THE CONSTRUCTION, REPAIR, MAINTENANCE, AND USE OF A SANITARY SEWER LINE THROUGH PROPERTY OF THE TOWN OF HILTON HEAD ISLAND, PURSUANT TO THE AUTHORITY OF S.C. CODE ANN. SEC. 5-7-40 (SUPP. 2011), AND SEC. 2-7-20, *CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA*, (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

LEGISLATIVE FINDINGS

WHEREAS, the Town of Hilton Head Island, South Carolina (the “Town”) is the owner of certain real property known as TMS # R550-015-000-0324-0000 (“Town Property”); and,

WHEREAS, South Island Public Service District (“SIPSD”) is extending sanitary sewer service pipelines to sewage treatment facilities owned and operated by SIPSD; and,

WHEREAS, the Town desires to grant and SIPSD desires to accept an easement for the purpose of constructing, maintaining and using a sewer pipeline on, in and through the Town Property subject to certain terms and conditions as set forth therein, and the Town Council for the Town of Hilton Head Island, South Carolina, has determined that it is in the best interests of the Town to execute such an agreement for the same; and,

WHEREAS, under the provisions of S.C. Code Ann. § 5-7-40 (SUPP. 2011) and § 2-7-20, *Code of the Town of Hilton Head Island*, South Carolina, (1983), the conveyance or granting of an interest in real property owned by the Town of Hilton Head Island must be effected by Ordinance.

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:

Section 1. Execution of Agreement.

- (a) The Mayor and Town Manager are hereby authorized to execute and deliver the Sanitary Sewer Easement Agreement which is attached hereto as Exhibit "A"; and
- (b) The Mayor and/or Town Manager are hereby authorized to take such other and further actions as may be necessary to complete the transactions contemplated in the Easement Agreement.

Section 2. Severability.

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

Section 3. Effective Date.

This Ordinance shall become effective upon adoption thereof by the Town Council for the Town of Hilton Head Island, South Carolina.

(THIS SPACE LEFT BLANK)

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF
HILTON HEAD ISLAND ON THIS _____ DAY OF _____, 2014.**

By:_____
Drew A. Laughlin, Mayor

ATTEST:

By:_____
Victoria L. Pfannenschmidt, Town Clerk

First Reading: _____

Second Reading: _____

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member:_____

**SANITARY SEWER
EASEMENT AGREEMENT
TMS # R550 015 000 0324 0000**

WITNESSETH:

TERMS AND CONDITIONS

(a) This Agreement may be terminated or modified by the Grantor and the District at any time by mutual consent by an instrument in writing which refers to this Agreement and which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina (the "ROD").

(b) The grant of easement shall run with the land and shall be binding upon and shall benefit the parties hereto, their successors and assigns.

(c) The District may use the Property herein conveyed only for purposes of the installation, operation, and maintenance of the Improvements. The District's permitted use of the Property shall also include the right to reasonable access to the Property for purposes of maintenance, repair and replacement of the Improvements located thereon. The District shall also have the right to reasonable access to the easement Property for the purpose of testing and inspecting which shall include surface and subsurface tests and inspections.

(d) This conveyance is subject to all applicable restrictions, covenants, easements, etc. applicable to the subject Property and of record in the ROD.

(e) In the event of a conflict, if any, between the aforementioned courses and distances description and the aforementioned plat of record, said plat shall be controlling.

(f) This Agreement is subject to the rights herein reserved by the Grantor, its successors and assigns, to utilize the Grantor's property at any time, in any manner, and for any purpose; provided however, that such use by the Grantor shall not be inconsistent with, nor prevent the full utilization by the District of the rights and privileges granted herein. The District agrees that the use of and access to the Improvements shall be under the exclusive control of the District, and the District shall, at all times, comply with all applicable laws, rules, codes and regulations.

(g) The District agrees to cause all work contemplated hereunder to be performed in a workmanlike fashion. The District further agrees to cause the work contemplated hereunder to be completed in an expeditious and timely fashion, barring conditions force majeure, that the Improvements shall at all times be maintained in a safe condition, and that all debris and construction materials relating to work undertaken by the District pursuant to the easement rights granted hereunder shall be promptly removed. The District shall restore any other part of the Grantor's property which may be damaged as a result of the District's exercise of the rights granted hereunder to its pre-existing state. Should the District's exercise of its easement rights hereunder include damage, by boring or other equipment or other means, to any asphalt or concrete pathway owned or maintained by the Grantor, or any infrastructure associated therewith, including but not limited to bridges, crosswalks, signage and lighting, the District agrees to restore the same to its pre-existing condition, normal wear and tear excepted.

(h) If construction of the Improvements contemplated by this Agreement are not completed within two (2) years of the date of this Agreement, then the easement rights granted to the District herein shall automatically terminate without any required action on the part of the Grantor, and thereafter shall no longer be of any force or effect. If the District fails to commence use of the easement rights granted pursuant to this Agreement for any (1) year period after receipt of written notice from the Grantor of such non-use, then this Agreement shall automatically terminate without any required action on the part of the Grantor, and thereafter shall no longer be of any force or effect.

(i) If either party undertakes legal action to enforce any right or remedy under this Agreement, the prevailing party shall be entitled to recover its reasonable costs and expenses in

connection with such legal action, including but not limited to court costs and attorney's fees, including without limitation such costs and fees incurred in conjunction with any appellate proceedings.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the Property belonging to or in anyway incident or appertaining thereto.

TO HAVE AND TO HOLD, all and singular, the rights, privileges and easements aforesaid unto the District, its successors and assigns forever.

AND the said Grantor does hereby bind itself and its successors and assigns forever, to warrant and defend, all and singular, the said premises unto the said District, its successors and assigns, against it and its successors and assigns lawfully claiming or to claim by, through, or under it.

[Signature pages to follow]

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name and its corporate seal affixed hereto on the ____ day of _____, 2014.

WITNESSES:

GRANTOR:

TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA

By: Drew A. Laughlin
Its: Mayor

Attest:

By: Stephen G. Riley, ICMA-CM
Its: Town Manager

STATE OF _____)
COUNTY OF _____)

ACKNOWLEDGMENT

I, the undersigned Notary Public do hereby certify that Drew A. Laughlin and Stephen G. Riley personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA.

Witness my hand and official seal this ____ day of _____, 2014.

_____(SEAL)
Notary Public for _____
My Commission Expires: _____

IN WITNESS WHEREOF, the District acknowledges its acceptance of the easements described herein in accordance with the terms and conditions set forth above, this ____ day of _____, 2014.

WITNESSES:

DISTRICT:

SOUTH ISLAND PUBLIC SERVICE
DISTRICT

By:
Its:

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGMENT

I, the undersigned Notary Public, do hereby certify that the SOUTH ISLAND PUBLIC SERVICE DISTRICT, by _____, its duly authorized representative, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this ____ day of _____, 2014.

_____(SEAL)
Notary Public for _____
My Commission Expires:

Exhibit A

Plat(s) of Easement Area

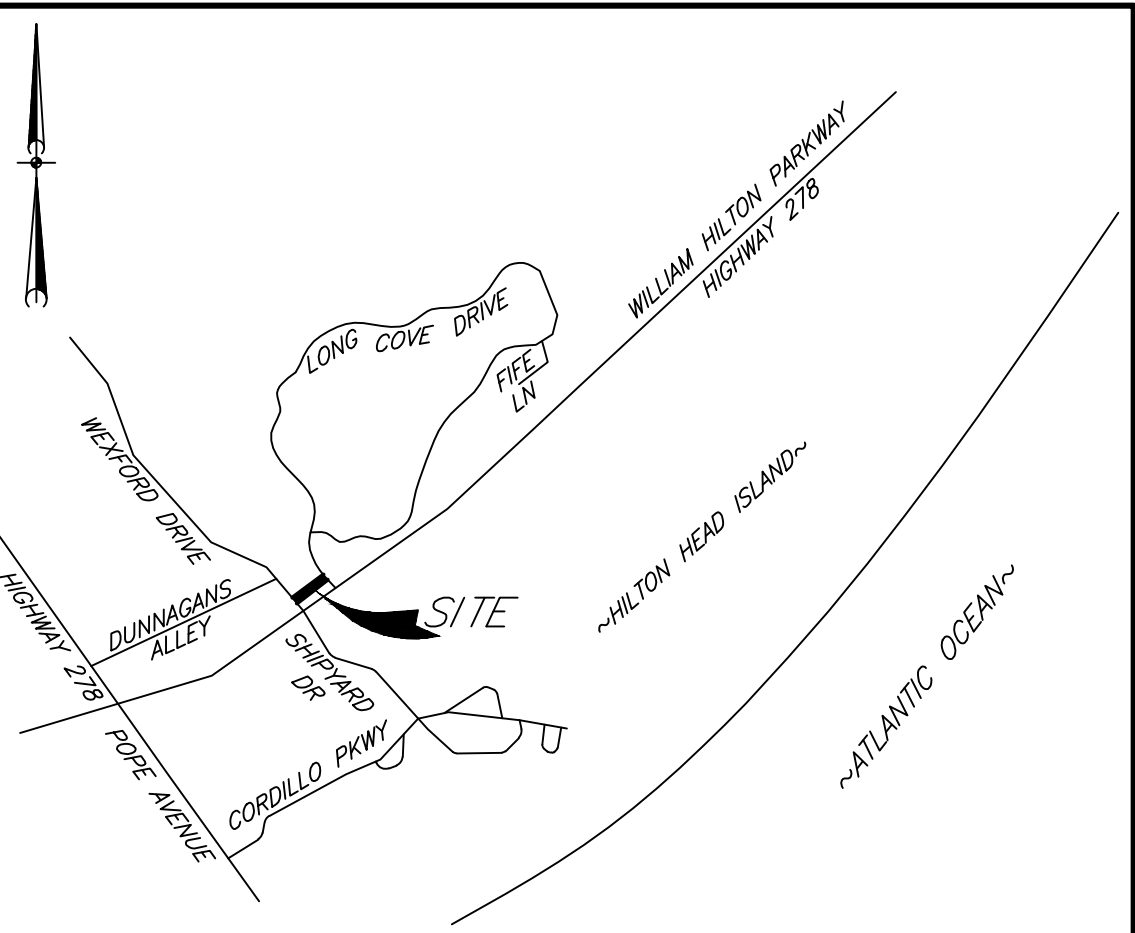
RESERVED FOR GOVERNMENTAL STAMPS

REFERENCES

1. PLAT OF LONG COVE CLUB PHASE I, DATE RECORDED: JUNE 12, 1980. RECORDED IN PLAT BOOK 28, AT PAGE 191, BY THOMAS & HUTTON ENGINEERING CO.
2. PLAT OF A TEMPORARY CONSTRUCTION EASEMENT & PERMANENT PATHWAY EASEMENT [...], DATED JUNE 4, 2012. RECORDED IN PLAT BOOK 136 AT PAGE 61, BY SEA ISLAND LAND SURVEY.
3. A BOUNDARY PLAT SHOWING A 20' DRAINAGE EASEMENT ALONG LONG COVE DRIVE. DATED OCTOBER 17, 1995. RECORDED IN PLAT BOOK 55 AT PAGE 22. BY COASTAL SURVEYING CO., INC.
4. AN AS-BUILT SURVEY SHOWING ADMINISTRATIVE & SALES OFFICES OF THE HILTON HEAD COMPANY, INC. DATED JULY 8, 1991. RECORDED IN PLAT BOOK 41 AT PAGE 192. BY COSTAL SURVEYING CO., INC.
5. A PLAT OF A PORTION OF LONG COVE CLUB PHASE 8, SECTION 'C'. DATED JUNE 24, 1986. RECORDED INFO IS UNKNOWN. BY THOMAS & HUTTON ENGINEERING CO. FILE NO. J-4728.
6. EASEMENT AGREEMENT AT DEED BOOK 2512, PAGE 706.
7. AMENDED EASEMENT AGREEMENT AT DEED BOOK 3214, PAGE 303.
8. DEED BOOK 1553, AT PAGE 1968.
9. DEED BOOK 2993, AT PAGE 2278.

SURVEYOR'S NOTES

1. THIS SURVEY IS BASED ON THE PUBLIC REFERENCES SHOWN HEREON. THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL FACTS THAT WOULD BE REVEALED BY A CURRENT AND ACCURATE TITLE SEARCH.
2. ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THE SUBJECT PROPERTY IS FOR DESCRIPTIVE PURPOSES ONLY.
3. THIS IS NOT A TRUE, VALID COPY OF THIS DOCUMENT UNLESS IT BEARS THE EMBOSSED SEAL SIGNATURE OF THE PROFESSIONAL LAND SURVEYOR NAMED HEREON.
4. THE NORTH ORIENTATION IS SC GRID NAD83 BASED UPON THE USE OF SOUTH CAROLINA VIRTUAL REFERENCE STATION (SCVRS).
5. ONLY UTILITIES WHICH WERE OBVIOUS AND APPARENT TO THE SURVEYOR WERE LOCATED ON THIS SURVEY. THERE MAY BE ADDITIONAL UTILITIES LOCATED ON THIS PROPERTY WHICH HAVE NOT BEEN SHOWN ON THIS PLAT.
6. THE SOLE PURPOSE OF THIS PLAT IS TO CREATE A NEW 5' SEWER EASEMENT; NO IMPROVEMENTS HAVE BEEN FIELD LOCATED OR SHOWN HEREON.
7. THE AREA SHOWN LIES IN FLOOD ZONE A7 (ELEV. 14) AS DEPICTED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) 450250 0013 D WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 1986.
8. ALL PLAT AND DEED REFERENCES NOTED HEREON ARE FROM THE BEAUFORT COUNTY REGISTER OF MESNE CONVEYANCES, UNLESS NOTED OTHERWISE.



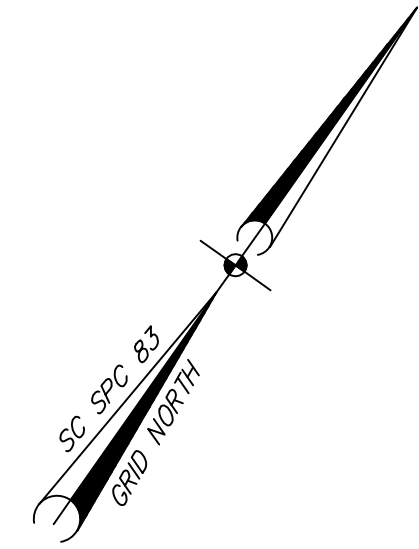
LOCATION MAP (NOT TO SCALE)

COPYRIGHT NOTICE

THIS DRAWING IS THE PROPERTY OF URS CORPORATION AND IS NOT TO BE REPRODUCED OR COPIED IN WHOLE OR IN PART. IT IS ONLY TO BE USED FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN AND IS NOT TO BE USED ON ANY OTHER PROJECT.

EASEMENT AREA TABLE

PARCEL	NEW 5' SEWER EASEMENT
PID #R550-015-000-0324-0000	3,262± SQ FT (0.075 AC)



PID #R550-015-000-0238-0000
WEXFORD PLANTATION
HOMEOWNERS ASSOCIATION

PID #R550-015-000-0239-0000
WEXFORD PLANTATION
HOMEOWNERS ASSOCIATION

PID #R550-015-000-0238-0000
WEXFORD PLANTATION
HOMEOWNERS ASSOCIATION

PID #R550-015-000-0433-0000
SOUTH ISLAND PUBLIC
SERVICE AUTHORITY

PID #R550-015-000-0238-0000
WEXFORD PLANTATION
HOMEOWNERS ASSOCIATION

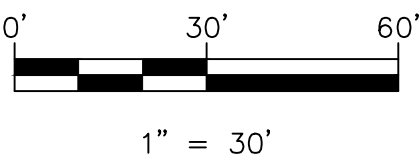
N54°50'44"E 648.25'

EXISTING 100' POWER LINE EASEMENT
(CENTRAL ELECTRIC COOPERATIVE)

PID #R550-015-000-0324-0000
TOWN OF HILTON HEAD ISLAND

LEGEND

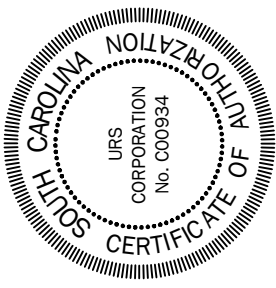
- BOUNDARY LINE
- RIGHT-OF-WAY (R/W)
- CENTERLINE (C/L)
- EXISTING EASEMENT
- NEW EASEMENT LINE
- OHP — OHP OVERHEAD POWER LINE
- FENCE LINE
- IRON PIN FOUND (IPF) (SIZE & TYPE)
- CALCULATED POINT (NO MONUMENT SET)
- CONCRETE MONUMENT FOUND (CMF)
- POWER POLE



1" = 30'

NO.	DESCRIPTION	DATE	BY

APPROVALS	DESIGNED BY:	DRAWN BY:	CHECKED BY:	APPROVED
PROJECT ENG.				



URS
4016 Salt Pointe Parkway, Suite 200
N. Charleston, South Carolina 29405
Telephone (843) 767-4602 • Fax (843) 767-4723
www.URS Corp.com

SHEET TITLE
**PLAT OF A NEW 5' SANITARY
SEWER EASEMENT THROUGH THE
PROPERTY OF
THE TOWN OF HILTON HEAD ISLAND
LOCATED ON HILTON HEAD ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA**
DATE: MARCH 18, 2014 SCALE: 1" = 30'

PROJECT
**WASTEWATER SYSTEM
IMPROVEMENTS
FOR
SOUTH ISLAND PSD
LONG COVE PUMP STATION
AND FORCE MAIN**
BEAUFORT COUNTY, SOUTH CAROLINA

DWG. NAME 46422856-ESMT.dwg	SHEET 1
N.B. NO.	OF
REF.	1
PROJECT NO. 46422856	

FILE NO. **CI-SV-175**

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

DRAFT-FOR REVIEW ONLY

JUSTIN L. BROWN S.C.P.L.S. NO. 28163 SIGNATURE DATE
URS CORPORATION
4016 SALT POINTE PKWY, NORTH CHARLESTON, S.C. 29405
TELEPHONE: (843) 767-4602

Exhibit "B"

Land Description-The Town of Hilton Head Island

All that certain piece, parcel or tract of land, lying and being in the Town of Hilton Head Island, Beaufort County, State of South Carolina, and being more fully shown and designated on a Plat titled "NEW 5' SANITARY SEWER EASEMENT THROUGH THE PROPERTY OF THE TOWN OF HILTON HEAD ISLAND" for South Island Public Service District, by URS Corporation, dated March 18, 2014 and recorded in the Beaufort County Register of Deeds in Plat Book _____, page _____, said sanitary sewer easement having the following metes and bounds to wit:

Commencing at a concrete monument along the western right-of-way of Long Cove Drive and the southeast corner of the Wexford Plantation Homeowners Association (PID #R550-015-00d-0238-0000); thence running along the western right-of-way of Long Cove Drive in a direction of S35°44'36"E for a distance of 100.12' to a concrete monument, said monument being the true point of beginning; thence turning and running through the property of the Town of Hilton Head Island (PID #R550-015-000-0324-0000) along the southern edge of an existing 100' Central Electric Cooperative easement in a direction of S54°51'22"W for a distance of 652.61' to a computed point; thence turning and running along the eastern right-of-way of Wexford Drive in a direction of N33°15'01"W for a distance of 5.00' to a computed point; thence turning and running through the property of the Town of Hilton Head Island (PID #R550-015-000-0324-0000) in a direction of N54°51'22"E for a distance of 652.39' to a computed point; thence turning and running along the western right-of-way of Long Cove Drive in a direction of S35°44'36"E for a distance of 5.00' to a concrete monument, this being the true point of beginning.

Said New 5' Sanitary Sewer Easement contains 0.075 acres/ 3,262 square feet.

URS Corporation
4016 Salt Pointe Parkway
North Charleston, SC 29405

Justin Lee Brown, SCPLS #28163

Memo

To: Stephen G. Riley, ICMA-CM, Town Manager
From: Jeff Buckalew, Town Engineer
Via: Scott Liggett, Director of Public Projects & Facilities/Chief Engineer
Mitch Thoreson, Town Attorney's office
Date: May 12, 2014
Re: Resolution to Condemn Road Rights of Way for Rhiner Drive, Wiley Road and Outlaw Road

Recommendation: Staff recommends that Town Council authorize condemnation of those properties as be necessary to assemble the public road rights of way for Rhiner Drive, Wiley Road, and Outlaw Road.

Summary: As part of the Town's Capital Improvements Program, the Town pursues the acquisition of private lands, easements, and/or rights of way to produce a proper road right of way for certain roads that are to be maintained by the government. These roads are being acquired for the benefit and use of the general public and for emergency access. Condemnation is necessary as the Town Attorney and staff have been unsuccessful in seeking donations of the property necessary to assemble the rights of way.

Background: The primary objective of the program is to acquire rights of way on selected private roads, with the intent of transferring these roads to the County for future improvements and maintenance as necessary. However, until such time as they are accepted by Beaufort County the roads will be the Town's responsibility to maintain. These acquisitions are prioritized based on a rating scheme which emphasizes public safety, condition of the road, and the number of dwellings served. \$25,000 has been budgeted in the Capital Improvements Program for acquisition costs only. This entails the survey, title research, and legal costs necessary for acquisition and is not intended for compensation to property owners or physical infrastructure improvements.

Attachments:

- Proposed Resolution to Authorize Condemnation

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING CONDEMNATION, PURSUANT TO S.C. CODE SECTION 28-2-10, *et seq.*, OF RIGHT-OF-WAY RIGHTS IN PARCELS ADJACENT TO, SURROUNDING, AND/OR OTHERWISE CONTAINING PORTIONS OF RHINER DRIVE, OUTLAW ROAD, AND WILEY LANE.

WHEREAS, the Town has planned and desires to undertake the Rhiner Drive Right-of-Way Project, which project is for the benefit and use of the general public and which project involves, among other things, acquisition of right-of-way rights over various parcels adjacent to and surrounding Rhiner Drive, for the purposes of general public safety and convenience as well as providing for emergency access, which right-of-way rights/needs are depicted on the attached Exhibit “A”; and,

WHEREAS, the Town has planned and desires to undertake the Outlaw Road Right-of-Way Project, which project is for the benefit and use of the general public and which project involves, among other things, acquisition of right-of-way rights over various parcels adjacent to and surrounding Outlaw Road, for the purposes of general public safety and convenience as well as providing for emergency access, which right-of-way rights/needs are depicted on the attached Exhibit “B”; and,

WHEREAS, the Town has planned and desires to undertake the Wiley Lane Right-of-Way Project, which project is for the benefit and use of the general public and which project involves, among other things, acquisition of right-of-way rights over various parcels adjacent to and surrounding Wiley Lane, for the purposes of general public safety and convenience as well as providing for emergency access, which right-of-way rights/needs are depicted on the attached Exhibit “C”; and,

WHEREAS, due to complex and unclear title issues which exist over and within the various parcels affected by the aforementioned projects, the Town must seek condemnation efforts in order to receive clear and marketable title as relates to the right-of-way rights as depicted in the attached Exhibits and as relate to the aforementioned projects; 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 to proceed with condemnation of the aforementioned rights pursuant to S.C. Code Section 28-2-10, *et seq.*

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF
THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA:**

1. The Town Attorney is granted authorization to proceed with condemnation, pursuant to S.C. Code Section 28-2-10, *et seq.*, of the right-of-way rights as depicted in the attached Exhibits “A”, “B”, and “C”.
2. The Mayor and/or Town Manager and/or Town Attorney are hereby authorized to take such other and further action as may be necessary to complete the actions authorized hereby.

**PASSED AND APPROVED BY THE TOWN COUNCIL THIS ____ DAY OF
_____, 2014.**

(SIGNATURE PAGE FOLLOWS)

Drew A. Laughlin, Mayor

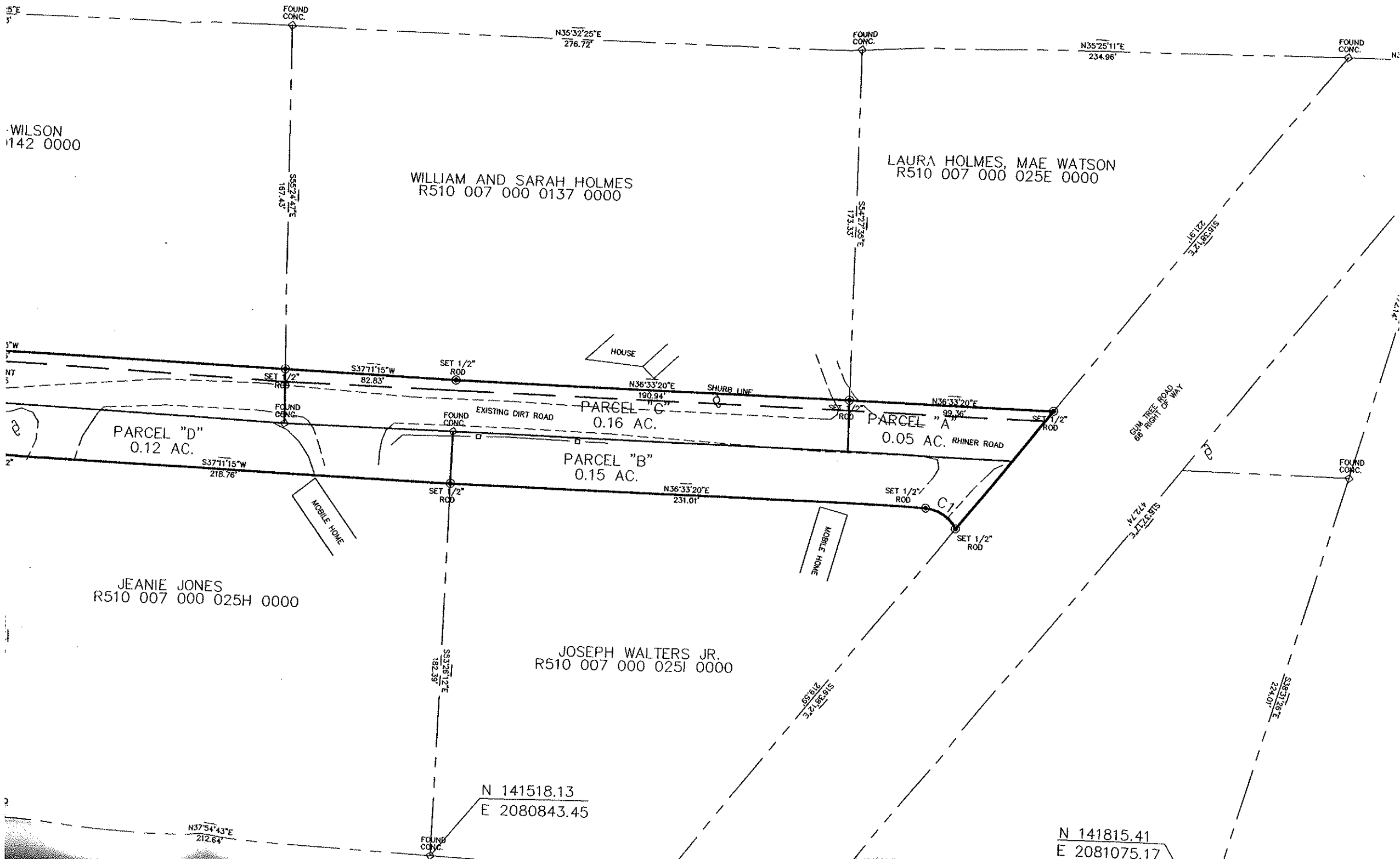
ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

Approved as to Form: _____
Gregory M. Alford, Town Attorney

Introduced by Council Member: _____

EXHIBIT A



WILSON
142 0000

WILLIAM AND SARAH HOLMES
R510 007 000 0137 0000

LAURA HOLMES, MAE WATSON
R510 007 000 025E 0000

PARCEL "D"
0.12 AC.

PARCEL "C"
0.16 AC.

PARCEL "A"
0.05 AC.

PARCEL "B"
0.15 AC.

JEANIE JONES
R510 007 000 025H 0000

JOSEPH WALTERS JR.
R510 007 000 025I 0000

N 141518.13
E 2080843.45

N 141815.41
E 2081075.17

VERNAE WATSON-WILSON
R510 007 000 0142 0000

JEANIE JONES
R510 007 000 025H 0000

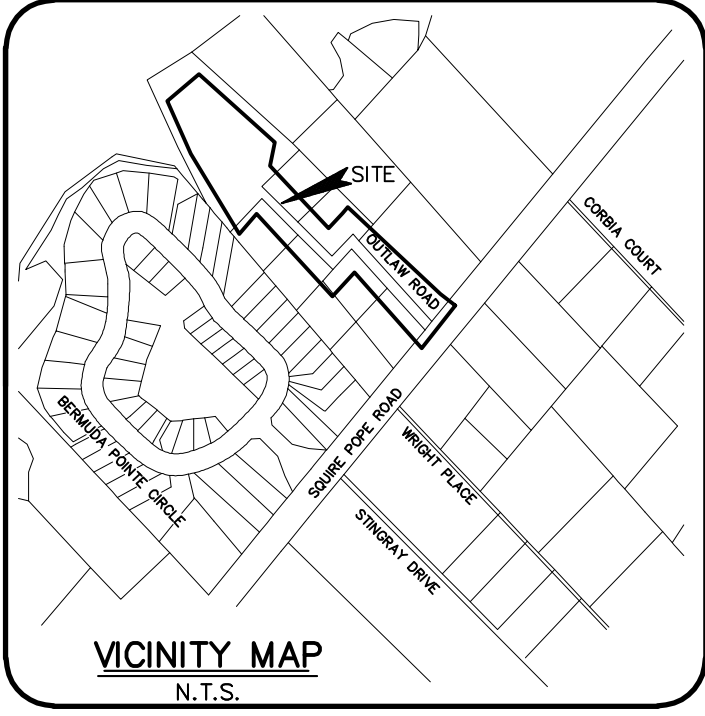
JANNIE JONES
R510 007 000 0302 0000

S37°54'47"W
223.32'

N37°54'47"E
215.34'

N37°54'43"E
212.64'

EXHIBIT B



VICINITY MAP
N.T.S.

LEGEND & SYMBOLS:

IPPF - 3/4" IRON PIPE FOUND
IPF - 1/2" IRON PIN FOUND
CMF - 3" CONCRETE MONUMENT FOUND

REFERENCE PLATS

- 1) A PLAT PREPARED FOR MR. WILLIAM BROWN, A DIVISION OF MAP 3 PARCEL 12, SQUIRE POPE ROAD, HILTON HEAD ISLAND, BEAUFORT COUNTY, S.C.
DRAWN: 5/30/95
RECORDED IN BOOK 53, PAGE 172, DATED: 6/24/95
ROD. BEAUFORT COUNTY, SC
BY: FORREST F. BAUGHMAN S.C.R.L.S. # 4922
- 2) A PLAT OF SURVEY LAND OF WILLIE COHEN, WILLIE COHEN JR. & JOHNNIE COHEN, HILTON HEAD ISLAND, BEAUFORT COUNTY, S.C.
DRAWN: 12/19/92
RECORDED IN BOOK 31, PAGE 249, DATED: 2/06/84
ROD. BEAUFORT COUNTY, SC
BY: CARL E. EKHOLOM S.C.R.L.S. # 2047
- 3) A PLAT OF A PARCEL OF LAND SITUATED ON HILTON HEAD ISLAND AND SHOWING 4 LOTS OUT THEREFROM. OWNED BY CLYDE K. & DOROTHY M. OUTLAW.
DRAWN: 10/22/72
RECORDED IN BOOK 20, PAGE 116
ROD. BEAUFORT COUNTY, SC
BY: R.L. SENSENBACH S.C.R.L.S. # 972

THIS PROPERTY LIES IN F.E.M.A. ZONE A7
COMMUNITY NO. 450250, PANEL 0002D, DATED: 9/29/86

NOTES:

- 1) HORIZONTAL DATUM IS STATE PLANE NAD83
- 2) VERTICAL DATUM IS NAVD88
- 3) BUILDING SETBACKS, WHETHER SHOWN OR NOT, SHOULD BE VERIFIED BY THE LOCAL BUILDING AUTHORITY.
- 4) THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A COMPLETE TITLE SEARCH AND IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	28.94	9.21	18.42	N53°46'03"W	180°00'00"
C2	48.70	62.00	47.46	N84°48'52"W	45°00'19"
C3	12.76	12.00	12.17	S76°51'38"E	60°54'48"
C4	21.10	40.00	20.86	N61°31'03"W	30°13'38"
C5	49.60	40.00	46.48	S67°50'40"W	71°02'55"
C6	56.78	40.00	52.13	S08°20'50"E	81°20'05"
C7	50.90	40.00	47.54	S85°28'14"E	72°54'42"
C8	44.05	62.00	43.13	S68°45'25"E	40°42'22"
C9	13.00	12.00	12.38	N76°16'13"W	62°05'37"

LINE TABLE		
LINE	LENGTH	BEARING
L1	12.55	S39°26'59"W
L2	12.47	S39°35'06"W
L3	9.74	N38°34'46"E
L4	20.16	N46°22'02"W
L5	26.74	S72°40'59"W
L6	9.56	S42°48'28"W
L7	13.87	N40°19'48"E
L8	22.29	S40°43'31"W
L9	3.79	N72°40'59"E
L10	12.53	N40°57'01"E



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 FLOOD 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.

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON 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 VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



NOT VALID UNLESS EMBOSSED.

RIGHT OF WAY ACQUISITION PLAT OF:
OUTLAW ROAD,
HILTON HEAD ISLAND,
BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR: TOWN OF HILTON HEAD ISLAND
JOB ORDER # 60A

DATE : 09/13/13

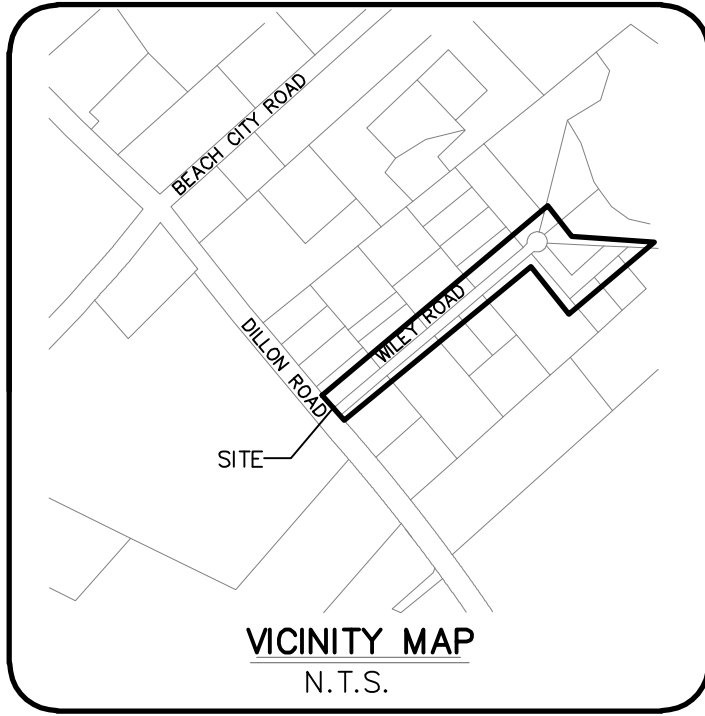
SCALE : 1" = 40'



SILS Sea Island Land Survey, LLC.
4D Mathews Court,
Hilton Head Island,
SC 29926
Tel (843) 681-3248
Fax (843) 689-3871
E-mail: sils@sprynet.com
FILE No : 12079/2
DWG No. : 7-1258

COPYRIGHT © BY SEA ISLAND LAND SURVEY, LLC. CAD: JWG FLD: N/A

EXHIBIT C



CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	197.32	40.00	50.00	N40°06'23"W	282°38'07"
C2	73.88	40.00	63.82	S51°29'15"W	105°49'24"
C3	23.95	40.00	23.59	N58°26'50"W	34°18'26"
C4	30.92	40.00	30.15	N19°09'00"W	44°17'13"
C5	27.18	40.00	26.66	N22°27'45"E	38°56'17"
C6	10.03	40.00	10.00	N49°06'46"E	14°21'46"
C7	31.36	40.00	30.56	N78°45'09"E	44°55'01"
C8	59.96	30.00	50.46	S47°08'45"W	114°30'25"
C9	17.96	30.00	17.70	N58°26'50"W	34°18'26"
C10	23.13	30.00	22.56	N18°12'13"W	44°10'47"
C11	29.09	30.00	27.96	N30°39'51"E	55°33'21"
C12	26.94	30.00	26.04	N84°10'02"E	51°27'01"

LINE TABLE		
LINE	LENGTH	BEARING
L1	9.36	N49°53'32"E
L2	3.23	S49°53'32"W
L3	14.60	N49°53'32"E
L4	8.48	N49°53'32"E

- LEGEND
- TREE SIZES ARE INCHES IN DIAMETER
- SPOT ELEVATION
 - CONTOUR
 - 3" CONCRETE MONUMENT FOUND
 - TEMPORARY BENCH MARK
 - INVERT ELEVATION
 - FINISHED FLOOR ELEVATION
 - POLYVINYL CHLORIDE
 - CORRUGATED PLASTIC PIPE
 - REINFORCED CONCRETE PIPE
 - HIGH DENSITY POLYETHYLENE PIPE
 - LIVE OAK
 - LAUREL OAK
 - MAGNOLIA
 - RED OAK
 - PINE
 - PALM
 - WATER OAK
 - WHITE OAK
 - WAX MYRTLE
 - CEDAR
 - TURKEY OAK
 - GUM
 - TUPELO
 - BIRCH
 - HOLLY
 - HICKORY

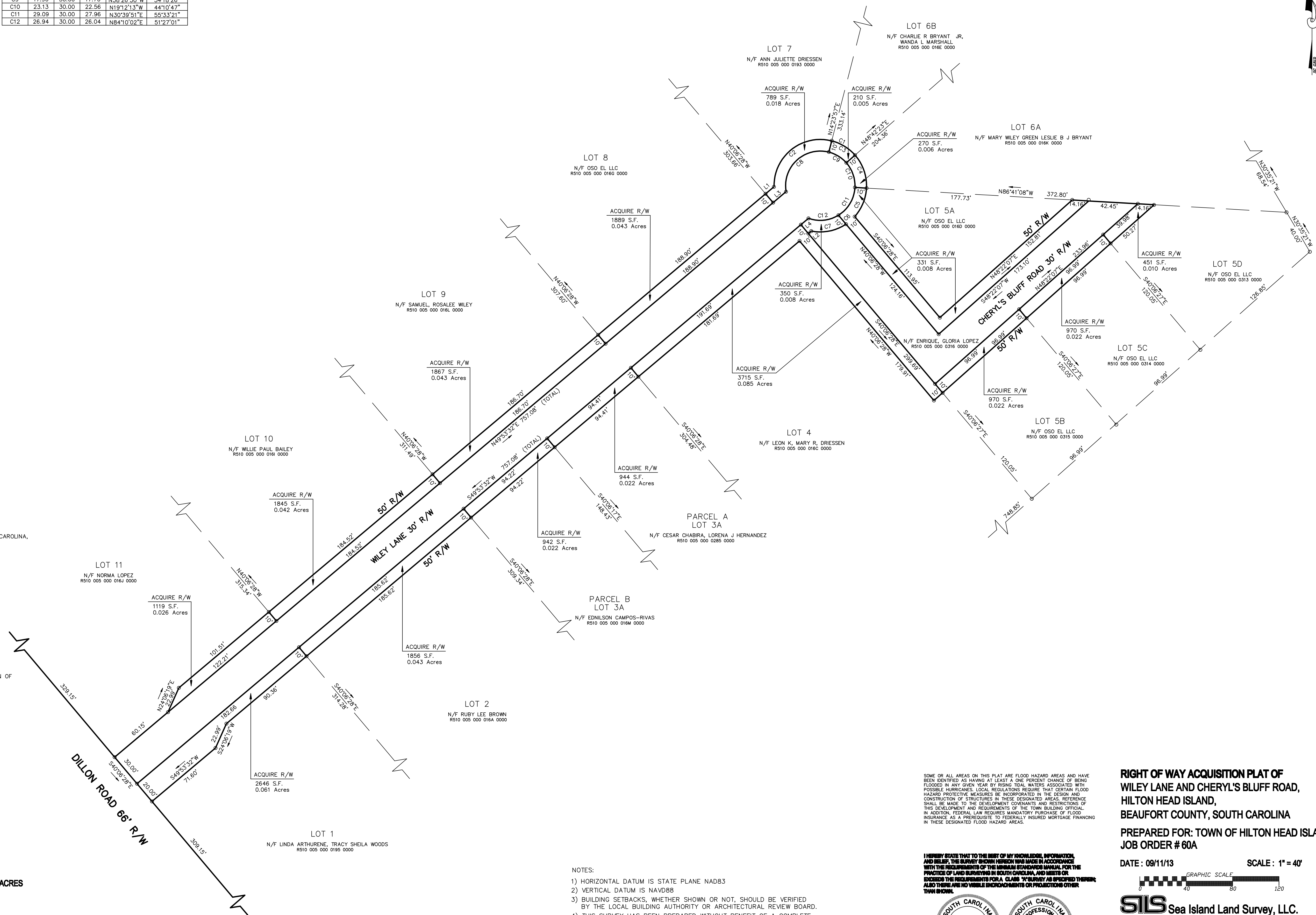
REFERENCE PLAT

- 1) A PLAT OF ARTHUR WILEY ESTATE, FOR HEIRS OF ARTHUR WILEY, DRAWN: AUGUST 1975, RECORDED IN BOOK , PAGE , DATED , ROD. BEAUFORT COUNTY, SC BY: E.H. FRIESLEBEN S.C.R.L.S. #4624
- 2) A SUBDIVISION SURVEY OF: REMAINDER OF LOT 3, WILEY LANE, OFF DILLON ROAD, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA, DRAWN: 04/09/04, RECORDED IN BOOK 98, PAGE 153, DATED 04/09/04, ROD. BEAUFORT COUNTY, SC BY: RALPH G. VANADORE S.C.R.L.S. #7606
- 3) A SUBDIVISION OF LOT 5 WILEY LANE, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA, DRAWN: FEBRUARY 21, 2001, RECORDED IN BOOK 79, PAGE 197, DATED 03/08/01, ROD. BEAUFORT COUNTY, SC BY: RUDY W. WHEELER S.C.R.L.S. #7263
- 4) A SUBDIVISION OF LOT 11, A SECTION OF WILEY ROAD, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA, DRAWN: RECORDED IN BOOK 80, PAGE 27, DATED 05/11/2001, ROD. BEAUFORT COUNTY, SC BY: RUDY W. WHEELER S.C.R.L.S. #7263
- 5) PLAT OF BOUNDARY SURVEY FOR ALEX BROWN, 0.212 ACRE PORTION OF DIST. 500, MAP 5, PARCEL 16L, JAMES WILEY PROPERTY, WILEY LANE HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA, DRAWN: 4-28-95, RECORDED IN BOOK 59, PAGE 13, DATED 01-07-97, ROD. BEAUFORT COUNTY, SC BY: M.A. DUNHAM S.C.R.L.S. #11590
- 6) PLAT SUBDIVISION OF LOT 6, ARTHUR WILEY ESTATE, UNION CEMETARY ROAD, HILTON HEAD ISLAND, SOUTH CAROLINA, DRAWN: 9/1/78, RECORDED IN BOOK 25, PAGE 34, DATED , ROD. BEAUFORT COUNTY, SC BY: E.H. FRIESLEBEN S.C.R.L.S. #4624

PROPERTY AREA WILEY LANE = 25488 S.F. - 0.584 ACRES
PROPERTY AREA CHERYL'S BLUFF ROAD = 10823 S.F. - 0.248 ACRES

DISTRICT: 510 , MAP: 5 , PARCEL: VARIOUS

THIS PROPERTY LIES IN F.E.M.A. ZONE A7
BASE FLOOD ELEVATION = 14.00'
COMMUNITY NO. 450250, PANEL 0008D, DATED: 9/29/86



4D Mathews Court,
Hilton Head Island,
SC 29926
FILE No.: 12080/2

Tel (843) 681-3248
Fax (843) 689-3871
E-mail: sils@sprynet.com
DWG No.: 4-1726



MEMORANDUM

TO: Town Council

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

VIA: Susan M. Simmons, CPA, Director of Finance

DATE: May 8, 2014

RE: **Public Hearing and First Reading of Proposed Ordinance No. 2014-11
Amending the TIF Plan**

Recommendation:

Staff recommends that Council hold the required public hearing and pass the first reading to Amend the Tax Increment Financing (TIF) Plan.

Summary:

This Amended TIF Plan will amend the Original TIF Plan as described below.

- Extend the time to implement the plan by adding 10 years to the original 15 years for a total of 25 years,
- Increase by \$50 million the cap on TIF expenditures from \$65 million in the Original TIF Plan to a cumulative \$115 million through the Amended TIF Plan,
- Describe the TIF Projects in the Amended TIF Plan, and
- Establish binding terms and conditions on the Town's TIF partners, namely the Hilton Head Public Service District, Beaufort County, and the Beaufort County School District (collectively the Taxing Districts).

Note: The County added conditions when adopting its Resolution of Consent and Intent to Participate which do not significantly impact but rather clarify the County's participation. The conditions have been added to the Amended TIF Plan and the remaining Taxing Districts have been informed of this change.

Upon Town Council's adoption of this ordinance by second reading planned for June 3, 2014, staff will file with the County Council and Treasurer of Beaufort County and notice the Island Packet, being the newspaper of general circulation in Beaufort County. These actions shall constitute the authority for extension of the TIF District and collection of the taxes to be deposited in the Special Tax Allocation Fund.

Background:

The attached ordinance which includes a copy of the Amended TIF Plan describes in further detail the significant facts of the Original and Amended TIF Plans. On April 1, 2014, Town Council adopted a Resolution to Distribute the Amended TIF Plan. As required, staff distributed the Amended TIF Plan to each of the Taxing Districts which have since adopted a Resolution of Consent and Intent to Participate in the Amended TIF Plan. Also as required, Town staff gave appropriate notice of the required May 20, 2014 Public Hearing.

AN ORDINANCE APPROVING THE AMENDED TAX INCREMENT FINANCING PLAN FOR THE TOWN OF HILTON HEAD ISLAND, REVELOPMENT PLAN, MARCH 2014; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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 SAID TOWN COUNCIL:

Section 1. Findings and Determinations. The Town Council (the "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, and as such possesses all powers granted to municipalities by the Constitution and general laws of this State.

(b) Pursuant to Section 5-5-10, Code of Laws of South Carolina, 1976, as amended (the "Code"), the Town has selected the Council form of government and is governed by a Council composed of a Mayor and six (6) council members which constitute the governing body of the Town.

(c) Pursuant to Ordinance No. 99-35 duly enacted by Council on December 7, 1999, the Town established and approved a plan for the redevelopment of a portion of the Town pursuant to the Hilton Head Tax Increment Financing Development Plan dated October 1999 (the "Original TIF Plan"); designating a redevelopment project area; making findings of the redevelopment project areas a conservation area; and designating redevelopment projects.

(d) The Town has caused to be prepared a redevelopment plan entitled: "Amended Tax Increment Financing Plan for the Town of Hilton Head Island Redevelopment Area, March 2014" (the "Amended TIF Plan").

(e) The Amended TIF Plan amends the Original TIF Plan as follows: (1) Extending the time for the implementation of the Original TIF Plan, as amended, and of the existence of the Town's tax increment financing district (the "TIF District") for an additional 10 years; (2) Increasing the cap on TIF expenditures from \$65 million in the Original TIF Plan to a cumulative \$115 million through the Amended TIF Plan; (3) Describing the TIF Projects which will be included in the Amended TIF plan; and (4) Establishing binding terms and conditions upon which Hilton Head Public Service District (the "PSD"), Beaufort County, South Carolina (the "County"), and the Beaufort County Town, South Carolina (the "Town") (collectively the "Taxing Districts") will agree to participate in the Amended TIF Plan.

(f) The Amended TIF Plan does not change the boundaries of the TIF District.

(g) Pursuant to Section 31-6-80, Code of Laws of South Carolina, 1976, as amended (the "TIF Act"), the Taxing Districts (as defined in the TIF Act) have the right to allow or disallow the revenue

generated within the TIF District from millage imposed for each of the Taxing Districts as applied to assessed value above the initial equalized assessed value (the "Incremental Tax Revenue") to be used to fund TIF Expenditures.

(h) On April 1, 2014, the Council adopted a Ordinance authorizing the distribution of the Amended TIF Plan to the Taxing Districts and scheduling a public hearing for May 20, 2014, at 5:00 p.m. in Council Chambers at Town Hall.

(i) Pursuant to the Act, the Town distributed the Amended TIF Plan and Notice of Public Hearing to the Tax Districts not less than forty-five (45) days prior to the date set for the public hearing.

(j) The Taxing Districts have each agreed to participate in the Amended TIF Plan by allowing such revenue to be included as Incremental Tax Revenue so long as the following conditions are observed:

(i) The Incremental Tax Revenue generated from the millage of the Town of Beaufort County to be included in funding the Amended TIF Plan will be limited to 75% of its debt service millage provided that the total contribution for the Amended TIF Plan will be no more than \$13,000,000;

(ii) The Incremental Tax Revenue generated from the millage of Beaufort County; Beaufort County to be included in funding the Amended TIF Plan will be limited to \$26 million or the cost necessary to establish the University of South Carolina Beaufort campus (as described in the Amended TIF Plan) within the incorporated boundaries of the Town, whichever is less;

(iii) The Original TIF Plan and TIF District will not be further amended or modified without the approval of the Taxing Districts; and

(iv) Participation in the Amended TIF Plan is contingent upon the consent of all Taxing Districts.

(k) It is now in the best interest of the Town for the Council to approve the Amended TIF Plan.

(l) A portion of funding for the Projects described in the TIF Plan may come from the proceeds of tax-exempt tax bonds.

Section 2. Approval of Amended TIF Plan. The Town Council hereby approves and adopts the Amended TIF Plan attached hereto as Exhibit A and incorporated herein by reference.

Section 3. Notice of Public Hearing. The Council hereby ratifies and approves the publication of a notice of public hearing regarding the Amended TIF Plan and this Ordinance having been published in The Island

Packet, a newspaper of general circulation in Beaufort County, not less than 15 days prior to the date of such public hearing.

Section 4. Filing of Ordinance. A certified copy of this Ordinance shall be filed with the Clerk of the County Council of Beaufort County and Treasurer of Beaufort County and such filing shall constitute the authority for the extension of the TIF District and collection of the taxes to be deposited in the Special Tax Allocation Fund (as defined in the Act).

Section 5. Notice. Pursuant to the Act, a notice of the enactment of this Ordinance shall be published in The Island Packet, a newspaper of general circulation in Beaufort County.

Section 6. Declaration of Intent to Reimburse Certain Expenditures. This Ordinance shall constitute the Town's declaration of official intent pursuant to Regulation §1.150-2 of the IRC to reimburse the Town from a portion of the proceeds of the Bonds for expenditures it anticipates incurring (the "Expenditures") with respect to the projects prior to the issuance of tax-exempt bonds. The Expenditures which are reimbursed are limited to Expenditures which are: (a) properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Regulation §1.150-2 of the IRC) under general federal income tax principals; or (2) certain de minimis or preliminary Expenditures satisfying the requirements of Regulation §1.150-2(f) of the IRC. The source of funds for the Expenditures with respect to the projects will be the Town's reserve funds. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid; or (b) the date such projects were placed in service, but in no event more than three (3) years after the original Expenditures.

Section 7. 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 8. Effectiveness of Ordinance; Codification. This Ordinance shall be in full force and effect from and after it is enacted as provided by law.

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

2014.

(SEAL)

Drew A. Laughlin, Mayor

ATTEST:

Victoria L. Pfannenschmidt, Town Clerk

Public Hearing:

Date of First Reading:

Date of Second Reading:

APPROVED AS TO FORM:

Gregory M. Alford, Town Attorney

Introduced by Council Member:

EXHIBIT A

**AMENDED TAX INCREMENT FINANCING PLAN
FOR THE TOWN OF HILTON HEAD ISLAND REDEVELOPMENT AREA**

(See Attached)

**AMENDED TAX INCREMENT FINANCING PLAN
FOR THE TOWN OF HILTON HEAD ISLAND
REDEVELOPMENT AREAS**

HILTON HEAD ISLAND, SOUTH CAROLINA

MARCH 2014

May 2014: Amended Section II. 4. B. to include County's conditions and informed all Taxing Districts of the change.

I. INTRODUCTION

This amendment to the Tax Increment Financing Plan for the Town of Hilton Head Island Redevelopment Area (the “Amended TIF Plan”) is intended to modify and supplement the original Tax Increment Financing Plan for the Town of Hilton Head Island Redevelopment Area approved in 1999 (the “Original TIF Plan”). The Original TIF Plan will remain in full force and effect except to the extent modified herein.

The amendments to the Original TIF Plan are being proposed for the purposes of:

1. Extending the time for the implementation of the Original TIF Plan, as amended, and of the existence of the Town of Hilton Head Island’s (the “Town”) tax increment financing district (the “TIF District”) for an additional 10 years;
2. Increasing the cap on TIF expenditures from \$65 million in the Original TIF Plan to a cumulative \$115 million through the Amended TIF Plan;
3. Describing the TIF Projects which will be included in the Amended TIF plan; and
4. Establishing binding terms and conditions upon which Hilton Head Public Service District (the “PSD”), Beaufort County, South Carolina (the “County”), and the Beaufort County School District, South Carolina (the “School District”) (collectively the “Taxing Districts”) will agree to participate in the Amended TIF Plan.

II. FINDINGS OF FACT

This Amended TIF Plan sets forth the following significant facts supplementing the Original TIF Plan.

1. The Original TIF Plan was approved in December 1999 and has been implemented over the past 14 years, with the desired results of encouraging private investment in the TIF District. Many improvements in the conditions existing in 1999 have been made. However, deleterious conditions continue to exist which cannot be mitigated within the one remaining year and remaining capped expenditures of the original TIF Plan.
2. Additional public investment in the TIF District will encourage additional private development, which will result in increases in the assessed values within the TIF District, and improve land use conditions and improve quality of life for the residents within the TIF District.
3. Continued implementation of the Original TIF Plan, as amended, and completion of the TIF Projects will advance the interests of the health, safety, and general welfare of the Town.
4. Pursuant to Section 31-6-80, Code of Laws of South Carolina, 1976, as amended (the “TIF Act”), the Taxing Districts have the right to allow or disallow the revenue generated within the TIF District from millage imposed for each of the Taxing Districts as applied to assessed value above the initial equalized assessed value (the “Incremental Tax Revenue”) to be used to fund the TIF Projects. The Taxing Districts have agreed to participate in the Amended TIF Plan by allowing such revenue to be included as Incremental Tax Revenue so long as the following conditions are observed.
 - A. The Incremental Tax Revenue from the School District for funding the Amended TIF Plan will be generated from 75% of the debt service millage of the School District for no more

than 10 years and not exceed \$13 million in total (the District will retain its total operating millage revenues in the Amended TIF Plan);

- B. The Incremental Tax Revenue generated from the millage of Beaufort County; Beaufort County to be included in funding the Amended TIF Plan will be limited to \$26 million or the cost necessary to establish the University of South Carolina Beaufort campus as described in this Amended TIF Plan within the incorporated boundaries of the Town, whichever is less;
- C. The Incremental Tax Revenue to be included in funding the Amended TIF Plan will be generated from the millage of the PSD for no more than 10 years;
- D. The 10 years of Incremental Tax Revenues in the Amended TIF Plan are based on tax years 2015 through 2024 which correlate with the Town and Taxing Districts' fiscal years 2016 through 2025;
- E. Expenditures from the Original TIF Plan and Amended TIF Plan will not exceed \$115 million;
- F. All Incremental Tax Revenue from the TIF District during the implementation of the Amended TIF Plan will be used to retire tax increment financing bonds or directly pay the costs of the TIF Projects;
- G. The Amended TIF Plan and TIF District will terminate and cease to exist upon the later of the repayment of the tax increment bonds or completion of the TIF Projects;
- H. The TIF Projects as described herein will be the only projects included in this Amended TIF Plan;
- I. The Town will continue to provide the Taxing Districts with an annual report of the Incremental Tax Revenues received and expended;
- J. The geographic area of the TIF District as described in the Original TIF Plan will not be amended;
- K. The Original TIF Plan and TIF District will not be further amended or modified without the approval of the Taxing Districts; and
- L. The consent to this Amended TIF Plan and the agreement to participate in this Amended TIF Plan of each Taxing District is contingent upon the consent of the other Taxing Districts.

III. CURRENT CONDITIONS

While significant improvements have been made in the inadequacy of utilities, deteriorating structures, and excessive vacancies identified in the Original TIF Plan, many areas within the TIF District continue to experience problems associated with the following conditions.

1. Dilapidated, obsolete and deteriorating structures;
2. Structures below minimum Town code standards;
3. Excessive vacancies and abandonment of property;
4. Inadequate utilities;

5. Deleterious land use or layout;
6. Depreciation of physical maintenance;
7. Lack of community planning; and
8. Illegal use of structures.

Eliminating or mitigating each of these problem areas continues to be a priority for the Town. The TIF Projects are intended to directly address the need for catalyzing private investment in distressed and underperforming areas of the TIF District. This public investment is intended to make the area within the TIF District more desirable for residential and commercial development. The quality of life, general safety and welfare of residents of the TIF District and the community as a whole will be greatly improved as the result of the TIF Projects.

IV. DESCRIPTION OF TIF PROJECTS

TIF Expenditures through June 30, 2013 **\$51,875,403**

Through June 30, 2013, the Town has completed most of the projects included in the Original TIF Plan; a few are in progress or not yet started. These actual project expenditures have been reported to the Taxing Districts in the annual TIF report for fiscal year 2013.

TIF Budget for remainder of Original TIF Plan **\$13,124,597**

1. Projects Completed within Original TIF Plan
2. Financing and Project Management
3. Coligny/Pope Initiative Area – Planning/Design/Land Acquisition
4. Chaplin Linear Park – Planning/Design/Phase I
5. Mathews/Chaplin and Stoney – Planning/Design/Begin Construction

In fiscal years 2014 and 2015 with Original TIF Plan revenues, the Town will make the final interest payments on its 2004 and 2008 TIF Revenue Bonds and incur project management costs. The Town will begin the remaining three groups of projects described below but completion of these projects will likely extend several years into the Amended TIF Plan.

Estimated TIF Expenditures in Amended TIF Plan **\$50,000,000**

As noted above, the TIF Projects in the Amended TIF Plan will consist of projects designed or started in the final two years of the Original TIF Plan. Due to timing and funding limitations or significant project size, these projects will not be complete at the end of the Original TIF Plan. The Town anticipates these project expenditures to be paid with monies generated through the Original TIF Plan, the Amended TIF Plan or both.

1. COLIGNY/POPE INITIATIVE AREA

- A. Coligny Area Improvements
- B. University of South Carolina - Beaufort (USCB) at Office Park Road

2. CHAPLIN LINEAR PARK

3. COMPLETION OF MATHEWS/CHAPLIN AND STONEY PROJECTS

4. FINANCING COSTS AND PROJECT MANAGEMENT

TOTAL TIF EXPENDITURES FOR ORIGINAL AND AMENDED TIF PLANS \$115,000,000

V. TAX INCREMENT FUNDING PLAN

As described above, the TIF Projects in the Amended TIF Plan shall be initially funded with monies generated from the Original TIF Plan and subsequently funded with the monies generated during the Amended TIF Plan. The cumulative TIF Project expenditures for the Original and Amended TIF Plans will not exceed \$115 million.

Additional funding beyond TIF Incremental Tax Revenues for the TIF Projects will come from USCB's fundraising or appropriations, other Town funding sources, investment income, and private fundraising. Some of the remaining TIF Projects are currently in design phases; therefore, final estimated total costs and funding sources have not been determined.

VI. IMPACT ON TAXING DISTRICTS

Based on current millage rates for the Town and the Taxing Districts, the Town estimates the following breakdown of Incremental Tax Revenues by Taxing District over the life of the Amended TIF Plan. These amounts and percentages will change as one Taxing District increases its millage rates independently of the other Taxing Districts. The table below represents only the \$50 million Incremental Tax Revenues planned during the Amended TIF Plan. The Town and its other partners using other public funding sources and private fundraising will provide additional monies to the TIF Projects and other projects within the TIF District.

<u>Taxing District</u>	<u>Percentage</u>	<u>Incremental Tax Revenues Projected During Amended TIF Plan</u>
Beaufort County	52%	\$ 26,100,000
Hilton Head Island PSD	2%	1,100,000
Town of Hilton Head Island	20%	9,800,000
Beaufort County School District	26%	13,000,000 ^a
Total TIF Extension Tax Revenues	100%	\$ 50,000,000

a The School District will participate at 75% of debt service millage and its Incremental Tax Revenues for the Amended TIF Plan will be capped at \$13 million.