



**The Town of Hilton Head Island  
Regular Town Council Meeting  
September 18, 2018  
4:00 P.M. EXECUTIVE SESSION  
5:00 P.M. REGULAR MEETING  
Benjamin M. Racusin Council Chambers  
**REVISED AGENDA****

Revisions  
Removed: Agenda  
Item 3(a)(ii)  
Added: Agenda Item  
12(d)

---

---

**As a courtesy to others please turn off/silence ALL mobile devices during the Town Council Meeting.  
Thank You.**

- 1. Call to Order**
- 2. FOIA Compliance** - Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
- 3. Executive Session**
  - a. Legal Advice:**

Receipt of legal advice related to pending, threatened, or potential claim related to:

    - i. ArborNature LLC vs. the Town of Hilton Head Island, et. al.
  - b. Land Acquisition:**

Discussion of negotiations incident to the proposed sale, lease, or purchase of property:

    - i. In the Beach City Road Area;
    - ii. In the Spanish Wells Road Area;
    - iii. Unspecified Town Owned Parcels throughout the Town; and
    - iv. In the New Orleans Road Area.
- 4. Pledge to the Flag – 5:00 p.m.**
- 5. Invocation**
- 6. Proclamations & Commendations - NONE**
- 7. Approval of Minutes**
  - a. Town Council Meeting August 14, 2018
  - b. Special Town Council Meeting August 21, 2018
  - c. Special Town Council Meeting August 23, 2018

## **8. Report of the Town Manager**

- a. Planning Commission – Alex Brown
- b. Cultural & Arts Committee Quarterly Update – Jane Joseph
- c. Items of Interest
  - i. Town News
  - ii. Noteworthy Events

## **9. Reports from Members of Council**

- a. General Reports from Council
- b. Report of the Intergovernmental & Public Safety Committee – Bill Harkins, Chairman
- c. Report of the Community Services Committee – Kim Likins, Chairman
- d. Report of the Public Planning Committee – David Ames, Chairman
- e. Report of the Public Facilities Committee – Marc Grant, Chairman
- f. Report of the Finance & Administrative Committee – John McCann, Chairman

## **10. Appearance by Citizens**

### **11. Unfinished Business**

#### **a. Second Reading of Proposed Ordinance 2018-11**

Second Reading of Proposed Ordinance 2018-11 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a Right-of-Way and Easement Agreement with the South Carolina Public Service Authority to encumber property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2012), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina, (1983)*; and providing for severability and effective date.

#### **b. Second Reading of Proposed Ordinance 2018-12**

Second Reading of Proposed Ordinance 2018-12 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a Utility Easement Agreement with Hilton Head Public Service District to encumber property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2012), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina, (1983)*; and providing for severability and effective date.

### **12. New Business**

#### **a. First Reading of Proposed Ordinance 2018-08**

First Reading of Proposed Ordinance 2018-08 to amend Title 16, “The Land Management Ordinance,” of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-1-107, the Official Zoning Map with respect to the certain parcel identified as Parcel 16 on Beaufort County Tax Map 4 to rezone the Parcel from the RM-4 (Low to Moderate Density Residential) and RM-8 (Moderate Density Residential) Zoning Districts to the MV (Mitchelville) Zoning District; and providing for severability and effective date.

#### **b. First Reading of Proposed Ordinance 2018-15**

First Reading of Proposed Ordinance 2018-15 to repeal Sections 6-1-111 through 318 of the Municipal Code of the Town of Hilton Head Island; and providing for severability and effective date.

## **New Business (cont.)**

### **c. First Reading of Propose Ordinance 2018-16**

First Reading of Proposed Ordinance 2018-16 to amend the budget for the Town of Hilton Head Island, South Carolina, for the Fiscal Year ending June 30, 2019; to provide for the budgeted appropriations of prior year budget roll-forwards and the expenditures of certain funds; to allocate the sources of revenue for the said funds; and providing for severability and an effective date.

### **d. Consideration of a Resolution – HUD/CDBG Entitlement Program 2017 CAPER**

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island, South Carolina to approve the Community Development Block Grant (CDBG) 2017 Consolidated Annual Performance Evaluation Report.

## **13. Possible actions by Town Council concerning matters discussed in Executive Session**

## **14. Adjournment**

**THE TOWN OF HILTON HEAD ISLAND  
REGULAR TOWN COUNCIL MEETING**

**Date: Tuesday, August 14, 2018**

**Time: 4:00 P.M.**

**Present from Town Council:** David Bennett, *Mayor*; Kim Likins, *Mayor Pro Tempore*; John McCann, Bill Harkins, Marc Grant, Tom Lennox, David Ames, *Council Members*

**Present from Town Staff:** Steve Riley, *Town Manager*; Joshua Gruber, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Brian Hulbert, *Staff Attorney*; Brad Tadlock, *Fire Chief*; John Troyer, *Finance Director*; Jenn McEwen *Director of Cultural Affairs*; Carolyn Grant, *Communications Director*; Jeff Buckalew, *Town Engineer*; Shawn Colin, *Deputy Director of Community Development*; Teri Lewis, *LMO Official*; Jennifer Ray, *Planning & Special Projects Manager*; Steven Markiw, *Deputy Finance Director*; April Atkins, *Revenue Services Supervisor*; Cindaia Ervin, *Finance Assistant*; Andrew Nicholls, *Systems Analyst*; Krista Wiedmeyer, *Executive Assistant/Town Clerk*

**Present from Media:** Alex Kincaid, Katherine Kokal, *Island Packet*

---

**1. Call to Order**

Mayor Bennett 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 Freedom of Information Act and the Town of Hilton Head Island requirements.

**3. Executive Session**

Mr. Riley stated that he needed an Executive Session for: (a) Legal Advice; receipt of legal advice related to pending, threatened, or potential claim related to; (i) ArborNature, LLC vs. the Town of Hilton Head Island, et. al., (ii) Hoagland v. Bennett, Harkins, Likins, Edwards, McCann, Lennox, and Grant, and (iii) Sea Cabin Racquet Club II HPRV v. Town of Hilton Head Island; and (b) Personnel/Employment Matters; discussion of appointments to boards and commissions.

At 4:02 p.m. Mrs. Likins moved to go into Executive Session for matters mentioned by the Town Manager, Mr. Harkins seconded. The motion to go into Executive Session was approved by a vote of 7-0.

Town Council returned to the dais at 5:01 p.m. to begin the Regular portion of the meeting.

**4. Pledge to the Flag**

**5. Invocation**

**6. Proclamations & Commendations – NONE**

**7. Approval of Minutes**

**a. Town Council Meeting, July 17, 2018**

Mrs. Likins moved to approve the minutes from the July 17, 2018 Town Council meeting. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

**8. Report of Town Manager**

**a. Parks & Recreation Bi-Annual Update – Ray Kisiah**

Ray Kisiah, Chairman, provided an update to Council concerning the items that have taken place over the last six months. He said that the Commission is working on recommending upgrades for inclusion of the 2020 Capital Improvement Plan. He continued by stating that they continue to meet with citizens and service providers to determine where the needs are programmatically and where the Town can assist to meet these needs.

## **Report of the Town Manager (cont.)**

### **b. Gullah-Geechee Preservation Task Force Quarterly Update – Palmer Simmons**

Palmer Simmons, provided an update to Council concerning the items that have taken place over the last three months. Mr. Simmons said that the Task Force has been working with Town staff to develop a resource center within Town Hall and the Town's website. He said they continue to work with the Town and the County to identify property which have been delinquent on their taxes and bring the bill current as to not lose the land. Working with the Town, the Task Force is working on an RFP to identify a consultant to assist with Heirs Property identification. Mr. Simmons stated that the Gullah community is still trying to build its trust within Town Hall. He said that the Task Force doesn't feel as though time frames are being met, which is beginning to hurt the communications and relationship between the Task Force and Town Hall. Mr. Harkins asked what the timeframe is on the RFP for the consultant and the hiring of the liaison, as did the Mayor. Mr. Riley said that updates concerning both of the matters would be provided to the Task Force at their next meeting on August 20, 2018. He noted that the Town's Human Resources' and Legal departments have been reviewing the job description for the liaison, and the August 20<sup>th</sup> Task Force meeting was the first meeting since the development of the job description to report back any findings. Mr. Grant said that he met with some of his constituents about these two matters. He said it was his understanding that the last three Task Force meetings have been cancelled, and that it may have been because of these two matters have not been finished. Mr. Grant said that as Council, he thinks that an update should be provided about the status of the consultant and the liaison. He said that if there are serious hold ups, then there needs to be more communication, and provide a better understanding as to what is holding things up.

### **c. Annual Report of the Hazard Mitigation Plan – Marcy Benson**

Marcy Benson, Senior Grants Administrator, discussed the Annual Report of the Hazard Mitigation Plan with the members of Town Council. She noted that Council does not take any formal action with this report, but an annual report evaluating the progress towards implementing the hazard mitigation plan objectives and goals must be prepared by communities that participate in maintaining the credit in the Flood Management Planning section of the National Flood Insurance Program Community Rating System. Ms. Benson stated that another requirement is that the report is submitted to Council for review and consideration. She went over the highlights of the report asking if there were any questions from the members of Council. With no questions, Ms. Benson, concluded her presentation.

### **d. Bid Results for Coligny Project**

Mr. Riley provided an update on the bid results for the upcoming Coligny Project. He said that the Town had gone out to bid for the road and pathway improvements component of the Lowcountry Community Park. Mr. Riley said these improvements will start in early September, moving into the park improvements in early spring. He said the bids for this project have come in under budget, and the bid that has been accepted is going through the approval process, and that information cannot be released at this time until after the approval has been finalized, that includes releasing the numbers for the bid. Mr. Riley said at the same time, the Town bid out the resurfacing of Pope Avenue, which is part of the State "C" Fund program, and that bid came in over budget. He said the County has made a recommendation to the Town, and there will be continued conversations concerning this project, but wanted to note there is a shortfall with this project. Mr. Riley said that he wanted to also take the opportunity to provide an update on the Office Park Road project. He said that it has been a project that has provided a number of lessons learned, with site issues, contractor issues, and the like. After giving a brief update on the project, Mr. Riley said that he hoped to have the road work wrapped up by the end of the week.

## **Report of the Town Manager (cont.)**

### **e. Municipal Court Update**

Mr. Riley reminded the members of Council that the former Municipal Judge returned to private practice in July. He noted that there are currently two options for Council to consider with regards to the Municipal Court. He said the first option is to go to an RFQ and contract with a South Carolina licensed Attorney who has previous trial experience. In the meantime, the Beaufort County Magistrates would continue to provide coverage for the Town. Mr. Riley said the second option is to consider dissolving the Municipal Court. Mr. Riley noted that the Court has run in the red for a number of years, stating that ticket volume is down for a many reasons, but also due to some recent changes because of the State Supreme Court. He stated that at this time, the Court is down one staff person, and the Court Administrator has submitted their resignation to move onto the private sector as well, only further creating challenges to maintain the Court. Mr. Riley said that his suggestion is to give the Courts back over to the County Magistrates, primarily because it has been an expensive operation to maintain. After discussion from the members of Council and Town staff, the Mayor asked the members of Council if there were any objections with Mr. Riley directing Town staff to begin the process of dissolving the Municipal Court, and bringing back a formal recommendation to the next meeting. All the members of Town Council concurred that Mr. Riley should begin to take the necessary steps.

### **f. Proposed Town Council Meeting Dates for 2019**

Mr. Riley reviewed the proposed meeting dates for 2019 with the members of Town Council, recommending one change, moving the April 16<sup>th</sup> meeting to the following week April 23<sup>rd</sup> due to the Heritage Golf Tournament. Mrs. Likins moved to approve the Proposed Town Council Meeting Dates for 2019 with the change recommended by the Town Manager. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

### **g. Items of Interest**

- i. Town News**
- ii. Noteworthy Events**

Mr. Riley introduced Josh Gruber, Assistant Town Manager who is replacing the retiring Greg DeLoach, and Angie Stone, Human Resources Director, replacing the retiring Nancy Gasen. He reviewed the Items of Interest, including, Town news, upcoming meetings, and current events taking place throughout the Island over the coming weeks.

## **9. Reports from Members of Council**

### **a. General Reports from Council**

Mr. Ames recognized and thanked the members of Turtle Trackers for redefining sustainability, a pillar of the Vision. He said that they are protecting the turtle habitat on the Island, and increasing the odds that the Loggerhed turtles will have a sustained population returning to the Island.

Mrs. Likins recognized and thanked Jenn McEwin, Director of Cultural Affairs for her work towards bringing the Gullah posters together in one place within Council Chambers. She thanked her for working towards turning Town Hall into a public art display.

Mayor Bennett reported about a meeting that he, Mr. McCann, and Mr. Ames had with members from the Chamber. He said that was a follow-up to the request he made to both Councilmen's Committees. He said it was a good meeting and was encouraged by the discussion that took place by all the participants. The Mayor said that he would best characterize the meeting as an ongoing discussion. He said that after a follow-up call with Mr. Miles of the Chamber, there will be additional correspondence to come.

## **Reports from Members of Council (cont.)**

### **General Reports from Council (cont.)**

Mayor Bennett reported that he, Mr. Ames, and Alan Wolfe from the Workforce Coalition traveled to Columbia, where they met with the South Carolina Housing, Finance, and Development Authority. He said that the specific discussion was about the whitepaper produced by Town Council. Mayor Bennett said that they were in support of the document submitted, and that they answer to a board of Commissioners. Mayor Bennett said that a follow-up meeting took place with Ms. Horne from the Chamber and members from the Governor's office. Issues discussed were about how Hilton Head Island is not able to access this particular tax credit program. Mayor Bennett stated that they had been assured that the matter would be looked into and the inability would be corrected. Mayor Bennett said that while in the meeting, they were asked how else they could help the Town. He mentioned the submission of the SIB application letter, and the lack of response. He said while there, he asked many questions of the Governor's legal counsel, and have asked Mr. Riley and Mr. Gruber if they would participate in a conference call with the Governor's legal counsel to move this along and hopefully get a good response.

#### **b. Report of the Intergovernmental & Public Safety Committee – Bill Harkins, Chairman**

Mr. Harkins reported that at their last Committee on August 6, 2018, Senator Davis provided an update regarding the Jasper Port, which shows some strong indication of delay. Mr. Harkins noted that the Senator would like to have a letter of endorsement from the Town on this matter. He said that the Senator is currently drafting a letter for the Mayor to review. Mr. Harkins reported that during the same meeting, the Sheriff's Office gave a report on the crime statistics including dangerous crossing areas on the Island.

#### **c. Report of the Community Services Committee – Kim Likins, Chairman**

Mrs. Likins reported that due to recent resignations on some boards and commissions, the Committee will begin meeting again to start filling those open positions.

#### **d. Report of the Public Planning Committee – David Ames, Chairman**

Mr. Ames stated that he had not report at this time.

#### **e. Report of the Public Facilities Committee – Marc Grant, Chairman**

Mr. Grant stated that he had not report at this time.

#### **f. Report of the Finance & Administrative Committee – John McCann, Chairman**

Mr. McCann stated that he had not report at this time.

## **10. Appearance by Citizens**

**George Paletta:** Addressed the members of Council about their previous approval of the funding for the community center at Cordillo Courts.

**Dr. Sharma:** Addressed the members of Council about their previous approval of the funding for community center at Cordillo Courts. Mayor Bennett asked Mr. Riley if he could look into arranging a meeting with Dr. Sharma and Mrs. Van der Meer about the community center.

**Tai Scott:** Addressed the members of Council about his property and establishment at 15 Marshland Road. He raised questions about policy and procedures related to code enforcement, the LMO, and other such Town Code matters.

**Joe Izzo:** Addressed the members of Council about the Town's pedestrian walkways and bike paths. He expressed his concerns regarding what he felt was a lack of lighting in and around the walkways and bike paths.

## 11. Unfinished Business

### a. Consideration of a Recommendation – Accommodations Tax Advisory Committee

Consideration of a Recommendation from the Accommodations Tax Advisory Committee for the Chamber of Commerce Visitor and Convention Bureau's proposed 2018-19 "30 Percent" Budget.

Mayor Bennet stated that he had a discussion with the Chamber a couple of weeks back, and while the budget has been working its way through all the various committees, and on its way to Council, the State Supreme Court ruled that DMO's or VCB's are not subject to the Freedom of Information Act. He went on to say that with this ruling, it probably puts a greater level of burden, responsibility and expense on the Town to ensure that our citizens have every benefit entitled to them by the Freedom of Information Act to understand how these public funds are being expended. Mayor Bennett said as part of the discussion, he felt it was important to understand that, and wrestle what obligation the Town has to ensure that our citizens know how the funds are being spent. He said that all of the ATAX recipients are required to submit receipts on a quarterly basis, but as the VCB, the Chamber does not. He said that he didn't think the statute denies the Town or Town Council from obtaining the receipts from the Chamber to then allow the citizens to then obtain. Mayor Bennett said that he would like to see all the organizations that benefit from the ATAX dollars treated the same.

Mrs. Likins said to add on to what the Mayor said, throughout the community, there has been a lot of discussion about transparency. She said, that she supports the DMO, and feels that they do an excellent job. Mrs. Likins said that our citizens are asking for information, and she wants to make sure that they receive the information they are asking for. She said that she would like the motion for this item to be that Council does approve the Chamber of Commerce Visitor and Convention Bureau's proposed 2018-19 30 percent budget, and that they submit to the Town on a quarterly basis all receipts associated with the expenditure of these funds. Mr. Ames seconded the motion.

Mr. McCann stated that under the leadership of the Mayor, Council developed and executed a contract with the Chamber, and while he agrees with what is being suggested, feels that the Town needs to see the current contract out through 2020, and add this language into a new contract which will go out to bid at that time. He said that while the rules currently set up in the contract are not perfect, the contract was set-up and signed in good faith, and to change it in mid-stream is not fair.

Mr. Lennox said that he echoes what Mr. McCann said. He said that it was just about four years ago that the construction of the contract was started. One last element that was inserted into this agreement, unlike any other arrangement that we have with other ATAX recipients, is that the opinion of outside counsel, that all of the funds have been spent in compliance with State ATAX regulations. While others may submit receipts for funding, none of the others have a requirement of an outside legal opinion which holds responsible the recipient responsible to be in compliance. If there were a violation or noncompliance, our recourse would be to go back to that legal opinion. He said that he felt that was the intent of the agreement, and would be the intent of going forward with or without receipts.

Mr. Harkins said that he doesn't have a problem with the product, but with the process. He said that the Town has a contractual relationship with the Chamber, and good partners come together to have dialog to discuss changes first before making the changes. Mr. Harkins said that he would like the Chamber to have some time to reflect on this type of change before any action like this is made.

Mr. Ames said that so often we speak of transparency as one of our highest values, but here we have an organization where they are receiving funds from the Town. He said that because of a State Supreme Court ruling does not have to respond to FOIA request, and that responsibility has now been put back on the Town. He said that it seems to him so clearly that it is in the best interest of the citizens of the Town and of the Chamber that this kind of decision be made for a couple of reasons. For transparency and to calm the rhetoric about the Chamber that we have had to endure for the last couple of years.

Mr. Grant said that he felt this was a bold move to bring this up at the meeting, but that he agrees with this matter. He said that he thinks the public has a right to know where this money is going, and this has been going on for almost four years. Mr. Grant said his question is, how communications will take place between staff and the Chamber. There will need to be a process put into place before this change takes place.

## **Unfinished Business (cont.)**

### **Consideration of a Recommendation – Accommodations Tax Advisory Committee (cont.)**

Upon the conclusion of Council's discussion Mayor Bennett opened the discussion up to the public at large where several members of the public spoke in favor of the motion made by Mrs. Likins. Also addressing the members of Council concerning this item were several staff members of the Hilton Head Island-Bluffton Chamber of Commerce who spoke in opposition of the current motion.

As the public discussion came to a close, Mayor Bennett asked the members of Council if there was any further discussion. Mr. Grant stated that he felt that further discussion concerning the quarterly receipts from the Chamber as the Town's DMO needed to take place with a committee. He went on to say that this particular committee and the Chamber could collectively come up with a decision that is also good for the community. Mr. Grant said that he felt that the committee should involve stakeholders, members of Council, the community, and the Chamber. But that, this discussion cannot be finalized tonight, and needs more time to be discussed. Mayor Bennett asked for clarification sake, was Mr. Grant making a motion. Mr. Grant indicated that he was making a motion to form a committee to further this discussion that would include members of the community and of the Chamber, Mr. McCann seconded the motion. There was some discussion amongst Council regarding the second motion made by Mr. Grant. With no further discussion from the public at large, or of Council, the motion made by Mr. Grant, and seconded by Mr. McCann passed by a vote of 6-1, Mayor Bennett opposing. The initial motion made by Mrs. Likins was withdrawn.

**A short recess was called at 7:18 p.m., the meeting was called back to order at 7:27 p.m.**

#### **b. Second Reading of Proposed Ordinance 2018-07**

Second Reading of Proposed Ordinance 2018-07 to amend Chapter 1 of Title 10, (Business and Professional Licenses), of the Municipal Code of the Town of Hilton Head Island, South Carolina, to amend Section 10-1-20, Definitions; to amend Section 10-1-30, Purpose and Duration; to amend Section 10-1-40, License Fee; to amend Section 10-1-50, Registration Required; to amend Section 10-1-80, Display and Transfer; to amend Section 10-1-120, Delinquent License Fees; to repeal Section 10-1-190, Classification Rates Schedules (Exhibit "A"); to amend Chapter 9 of Title 4, (Beach Preservation Fee), Section 4-9-100, Violations and Penalty (Exhibit "B"); to amend Chapter 10 of Title 4, (Local Accommodation Tax), Section 4-10-50, Collections of Local Accommodation Tax (Exhibit "C"); and to amend Chapter 13 of Title 4 (Local Hospitality Tax), Section 4-13-100, Violations and Penalty (Exhibit "D"); and providing for severability and effective date.

Mrs. Likins moved to approve, Mr. Harkins seconded. Upon no discussion from the dais or public at large, the motion passed by a vote of 7-0.

#### **c. Second Reading of Proposed Ordinance 2018-10**

Second Reading of Proposed Ordinance 2018-10 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2018; to provide for the expenditures of certain funds; to allocate the sources of revenue for the said funds; and providing for severability and an effective date.

Mrs. Likins moved to approve, Mr. Harkins seconded. Upon no discussion from the dais or public at large, the motion passed by a vote of 7-0.

## **12. New Business**

#### **a. First Reading of Proposed Ordinance 2018-11**

First Reading of Proposed Ordinance 2018-11 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a Right-of-Way and Easement Agreement with the South Carolina Public Service Authority to encumber property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2012), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina, (1983)*; and providing for severability and effective date.

Mrs. Likins moved to approve, Mr. Harkins seconded. Upon no discussion from the dais or public at large, the motion passed by a vote of 7-0.

## **New Business (cont.)**

### **b. First Reading of Proposed Ordinance 2018-12**

First Reading of Proposed Ordinance 2018-12 of the Town of Hilton Head Island, South Carolina, authorizing the execution of a Utility Easement Agreement with Hilton Head Public Service District to encumber property owned by the Town of Hilton Head Island, South Carolina, pursuant to the authority of S.C. Code Ann. § 5-7-40 (Supp. 2012), and § 2-7-20, *Code of the Town of Hilton Head Island, South Carolina, (1983)*; and providing for severability and effective date.

Mayor Bennett noted, this agenda item should also include a fifth Town-owned property, R511 007 000 0070 0000, located at the intersection of U.S. 278 and Adrianna Lane. He stated that this parcel has been added to the Utility Agreement, Exhibit A, and will be added to the Proposed Ordinance 2018-12 before the second reading.

Mrs. Likins moved to approve, Mr. Harkins seconded. Upon no discussion from the dais or public at large, the motion passed by a vote of 7-0.

### **c. Consideration of a Recommendation – Town Dirt Roads Policy**

Consideration of a Recommendation from the Public Facilities Committee that Town Council direct Town staff to pursue the acquisition of public road rights of way on the private, unpaved roads, Mitchelville Lane and Pine Field Road.

Mrs. Likins moved to approve, Mr. Harkins seconded. Upon no discussion from the dais or public at large, the motion passed by a vote of 7-0.

### **d. Discussion of a Request from Walter Nester, Attorney, on behalf of the Owner of 407 William Hilton Parkway**

Walter Nester, Attorney, on behalf of the owner of 407 William Hilton Parkway, requests that Town Council provide permission to allow a curb cut onto William Hilton Parkway as required in Article III, Paragraph 6, Subparagraph (a) of the Covenants, Easements, Conditions and Restrictions for Block A, Phase I, Northridge Park.

Mayor Bennett opened the discussion up by asking Mr. Riley about the history of this matter. Mr. Riley discussed the history of this matter with the members of Council. He discussed the process of the DPR application, and why Town staff was not aware of the covenants existence. Mr. Riley explained that in order to waive any part of the covenants and restrictions that Council would have to take a vote and approve the waiver.

Mayor Bennett opened the discussion up to the members of Council, where the consensus was that there needed to be further review and discussion on this matter beyond this one meeting. Council was in agreement that by allowing the curb cut, there was a potential for safety implications for pedestrians, bike riders, and those driving across the road. Mr. Harkins pointed out that during his Safety Committee earlier in the month, this area could possibly be one of the worst areas for accidents on the Island. Upon the conclusion of discussion from the members of Council, Mayor Bennett opened the discussion to the public at large.

Walter Nester, the attorney for the owner of the building made a presentation to the members of Council. Mr. Nester showed a timeline that outlined the steps that his client took to submit the DPR application all the way to obtaining the building permits. Indicating that from the time the DPR application was submitted, the curb cut always existed. Mr. Nester contended the wording which required the applicant to state whether the tract or parcel of land is restricted by any recorded covenant. Stating that permitted activity is not defined in State law or the LMO. Further contending that the statement permitted activity would refer to the use of the property in a general manner, not some other specific use such as size of or existing buffers. Mr. Nester discussed the harm that has been caused to the applicant due to the stop work on the property, and that he has a strict delivery date to the lease holder. He implored the members of Council to stand by the agreement that both the Town and the SCDOT had which was to approve the curb cut prior to the applicant's agreement with the Dollar General.

**New Business (cont.)**

**Discussion of a Request from Walter Nester, Attorney, on behalf of the Owner of 407 William Hilton Parkway (cont.)**

The members of Council continued the discussion, asking Mr. Nester and the applicant questions concerning their understanding of the process and how things were progressing since December 2016. Some members seemed really surprised that they would grant a curb cut in this area, but then tell other citizens how dangers these curb cuts are. There was discussion about whether or not the applicant had received the appropriate Waiver of Right of First Refusal. Mr. Nester said he would look through the closing file, and send a copy of the document over. Upon the closing of the discussion Council made the decision that further discussion was needed, and a Special Meeting was called for Tuesday, August 21, 2018 at 9:00 a.m. where they would further discuss this matter and consider the request again.

**13. Possible actions by Town Council concerning matters discussed in Executive Session.**

Mrs. Likins moved to appoint Julie Smith to the Accommodations Tax Advisory Committee to replace Steward Brown as a Hospitality member with term ending June 30, 2021. Mr. Harkins seconded, the motion was approved by a vote of 7-0.

**14. Adjournment**

Mayor Bennett adjourned the meeting at 8:29 p.m.

\_\_\_\_\_  
Krista M. Wiedmeyer,  
Executive Assistant/Town Clerk

Approved: 09/18/2018

\_\_\_\_\_  
David Bennett, Mayor

**THE TOWN OF HILTON HEAD ISLAND  
TOWN COUNCIL SPECIAL MEETING/PUBLIC HEARING**

**Date: Tuesday, August 21, 2018**

**Time: 9:00 a.m.**

**Present from Town Council:** David Bennett, *Mayor*; Kim Likins, *Mayor Pro Tempore*; John McCann, Bill Harkins, Marc Grant, Tom Lennox, David Ames, *Council Members*

**Present from Town Staff:** Steve Riley, *Town Manager*; Joshua Gruber, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects & Facilities/Chief Engineer*; Brian Hulbert, *Staff Attorney*; Brad Tadlock, *Fire Chief*; Shawn Colin, *Deputy Director of Community Development*; Nicole Dixon, *Development Review Administrator*; Krista Wiedmeyer, *Executive Assistant/Town Clerk*

**Present from Media:** Katherine Kokal, *Island Packet*

---

**1. Call to Order**

Mayor Bennett called the meeting to order at 9:00 a.m.

**2. FOIA Compliance** - Public notification of this meeting has been published, posted and distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

**3. Executive Session**

Mr. Riley stated that he needed an Executive Session for: (a) Legal Advice; receipt of legal advice related to pending, threatened, or potential claim related to; (i) property located at 407 William Hilton Parkway.

At 9:02 a.m. Mrs. Likins moved to go into Executive Session for matters mentioned by the Town Manager, Mr. Harkins seconded. The motion to go into Executive Session was approved by a vote of 7-0.

Council returned to the dais at 9:54 a.m.

**4. Unfinished Business**

**a. Consideration of a Request for a curb cut at 407 William Hilton Parkway**

Upon no discussion from Council or Town staff, Mayor Bennett invited Walter Nester, the attorney representing the property owner if he wanted to address Council concerning this matter. Mr. Nester did address Council reiterating the points he had made when he spoke to Council during the August 14, 2018 meeting. He encouraged Council to approve the request for the curb cut and allow his client to continue with the project as he had originally applied for.

Mrs. Likins moved that Town Council deny the request for a curb cut through the buffer onto William Hilton Parkway at 407 William Hilton Parkway for four main reason, (i) public safety, (ii) the impact on traffic management, (iii) the LMO requirements related to curb cuts, and (iv) the applicable covenants affecting the property, Mr. Harkins seconded.

Two citizens addressed the members of Council in support of the motion made to deny the request for the curb cut. Of the two citizens, one of them showed several exhibits to support his comments about the public's safety within crosswalks. With no further comments from the public or from the members of Council, the motion was approved by a vote of 7-0.

Mayor Bennett said before he adjourned the meeting, he wanted to report on one last item. He said at last week's meeting, Council discussed the matter concerning the DMO's 30 percent promotional fund, and Council voted to assign that to a committee. He said in order to move that forward expeditiously, he had decided to assign that to the Finance and Administrative Committee. Mayor Bennett said after contacting each member of Council individually, in conjunction with that Committee, they would incorporate four non-voting, non-committee members, two from the Chamber and two citizens at large. Mayor Bennett said the two citizens would be David Fingerhut and Carlton Dallas. He said that would like to work with both Mr. Riley and Mr. McCann to establish the agenda and set the meeting date, which will be distributed via the Town.

## 5. Adjournment

Mayor Bennett adjourned the meeting at 10:07 a.m.

---

Krista M. Wiedmeyer,  
Executive Assistant/Town Clerk

Approved: 9/18/2018

---

David Bennett, Mayor

**THE TOWN OF HILTON HEAD ISLAND  
TOWN COUNCIL SPECIAL MEETING/PUBLIC HEARING**

**Date: Tuesday, August 23, 2018**

**Time: 2:30 p.m.**

**Present from Town Council:** David Bennett, *Mayor*; Kim Likins, *Mayor Pro Tempore*; John McCann, Bill Harkins, Tom Lennox, David Ames, *Council Members*

**Absent from the meeting:** Marc Grant, *Council Member*

**Present from Town Staff:** Steve Riley, *Town Manager*; Joshua Gruber, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Shawn Colin, *Deputy Director of Community Development*; Nicole Dixon, *Development Review Administrator*; Teresa Haley, *Senior Admin-Community Development*; Krista Wiedmeyer, *Executive Assistant/Town Clerk*

**Present from Media:** Katherine Kokal, *Island Packet*

---

**1. Call to Order**

Mayor Bennett called the meeting to order at 2:32 p.m.

**2. FOIA Compliance** - Public notification of this meeting has been published, posted and distributed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

**3. Executive Session**

Mr. Riley stated that he needed an Executive Session for: (a) Legal Advice; receipt of legal advice related to pending, threatened, or potential claim related to; (i) property located at 407 William Hilton Parkway.

At 2:34 p.m. Mrs. Likins moved to go into Executive Session for matters mentioned by the Town Manager, Mr. Harkins seconded. The motion to go into Executive Session was approved by a vote of 6-0, as stated above, Mr. Grant was not present at the meeting.

Council returned to the dais at 2:43 p.m.

**4. Unfinished Business**

- a. Consideration of a Request to Waive All Conditions and Requirements Identified in the Declaration of Covenants, Easements, Conditions and Restrictions for Block A, Phase I, Northridge Park as it Applies to Development of Property Located at 407 William Hilton Parkway, Excluding, However, Consideration of any Waiver as it Applies to Curb Cut Access to the property.**

With no discussion from Council or Town staff, Mrs. Likins moved that the Town Council for the Town of Hilton Head Island, acting in its capacity as the holder of the rights as declarant under those certain Declaration of Covenants, Easements, Conditions and Restrictions for Northridge Park and also for Block A, Phase I, Northridge Park recorded in the Office of the Beaufort County Register of Deed in Book 359 at Page 897 and in Book 359 at Page 930, respectively (collectively, the "Northridge Covenants") authorize the approval and execution of a written waiver of any and all restrictions, conditions and or limitations contained therein in favor of the owner of Lot 16-A, Phase 1 Northridge Park, to develop said property in accordance with DPR-2177-2016 and any and all permits or approvals issued in conjunction therewith except for the restriction related to the installation of a curb cut through the buffer from said Lot 16-A property to U.S. 278, Mr. Harkins seconded.

With no discussion from the members of Council, Mayor Bennett opened the discussion up to the public at large where one member of the public addressed Council about motorist speeding and the enforcement of the speed limit throughout the Island. Upon no further comments, the motion passed with a vote of 6-0.

**5. Adjournment**

Mayor Bennett adjourned the meeting at 2:47 p.m.

\_\_\_\_\_  
Krista M. Wiedmeyer,  
Executive Assistant/Town Clerk

Approved: 9/18/2018

\_\_\_\_\_  
David Bennett, Mayor



# TOWN OF HILTON HEAD ISLAND

## ITEMS OF INTEREST

### September 18, 2018

---

#### TOWN NEWS

- Fire Chief, Brad Tadlock received the designation of Chief Fire Officer (“CFO”) from the Center for Public Safety Excellence. Chief Tadlock becomes one of only 1,306 CFO designees worldwide. The program is designed to recognize individuals who demonstrate their excellence in seven measured components including experience, education, professional development, professional contributions, association membership, community involvement, and technical competence. Achieving this designation signifies Chief Tadlock’s commitment to the Town, Fire Rescue, and his career in the fire and emergency services.
- 

#### TOWN OF HILTON HEAD ISLAND MEETINGS

- Public Facilities Committee – September 24, 2018 – 9:00 a.m.
- Public Planning Committee – September 27, 2018 – 3:00 p.m.
- Intergovernmental & Public Safety Committee – October 1, 2018 – 10:00 a.m.
- Finance & Administration Committee – October 2, 2018 – 2:00 p.m.
- Town Council Executive Session – October 2, 2018 – 4:00 p.m.
- Town Council Regular Session – October 2, 2018 – 5:00 p.m.
- Community Services Committee – October 8, 2018 – 9:00 a.m.

*Meetings are subject to change and/or cancellation. Please visit the Town’s website at [www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov) for meeting dates and times.*

---

#### HILTON HEAD ISLAND EVENTS

- Fall Music & Taste on the Harbour – Thursday Evenings thru October 18, 2018 – 6:00 p.m. to 9:00 p.m. at Shelter Cove Harbour – Neptune Statue
- Hilton Head Island Shrimp Festival – Saturday, September 22, 2018 – 2:00 p.m. to 6:00 p.m. at Harbour Town
- 9<sup>th</sup> Annual Latinos Unidos Food Festival – Sunday, September 30, 2018 – 11:00 a.m. to 7:00 p.m. at Shelter Cove Community Park



For more events taking place on the Island, please visit the Town’s Office of Cultural Affairs Events page at [www.culturehhi.org/events/](http://www.culturehhi.org/events/).



# **TOWN OF HILTON HEAD ISLAND**

---

*Community Development Department*

**TO:** Stephen G. Riley, ICMA~CM, *Town Manager*  
**VIA:** Charles Cousins, *AICP, Director of Community Development*  
**VIA:** Jennifer Ray, *ASLA, Planning and Special Projects Manager*  
**FROM:** Anne Cyran, *AICP, Senior Planner*  
**CC:** Shawn Colin, *AICP, Deputy Director of Community Development*  
**DATE:** August 27, 2018  
**SUBJECT:** Santee Cooper Easement Second Reading: Proposed Ordinance 2018-11

---

There were no changes made to Proposed Ordinance 2018-11 during the first reading on August 14, 2018.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF A RIGHT-OF-WAY AND EASEMENT AGREEMENT WITH THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO ENCUMBER PROPERTY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, PURSUANT TO THE AUTHORITY OF S.C. CODE ANN. § 5-7-40 (SUPP. 2012), AND § 2-7-20, *CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA*, (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Town of Hilton Head Island (“Town”) owns a parcel of real property known generally as Beaufort County PIN R510-008-000-0153-0000; and located on Hilton Head Island, South Carolina (hereinafter, the “Property”); and,

WHEREAS, the South Carolina Public Service Authority (“Santee Cooper”) has planned and desires to undertake an upgrade of the Hilton Head Gas Turbine-Market Place 115 kV Line which involves the installation, upgrade and maintenance of electrical lines located in the vicinity of the Property, which project is for the benefit and use of the general public; and

WHEREAS, the Town has determined that it is in the best interest of the Town to grant an easement to Santee Cooper for the aforementioned purposes pursuant to that certain Right-of-Way and Easement Agreement, a copy of which is attached hereto as Exhibit “A”; 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 authorized by Ordinance.

**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, AS FOLLOWS:**

**Section 1 – Execution, Delivery and Performance of Easement.**

(a) The Mayor and/or Town Manager are hereby authorized to execute and deliver the Right-of-Way and Easement Agreement in substantial conformance with the attached Exhibit "A"; and,

(b) The Town Manager is hereby authorized to take such other and further actions as may be necessary to complete the performance of the Town's obligations under the terms and conditions of the Right-of-Way and Easement.

**Section 2 – 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, then 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 3. – Effective Date.**

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

**PASSED AND APPROVED BY THE TOWN COUNCIL FOR THE TOWN OF  
HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2018.**

\_\_\_\_\_  
David Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Krista Wiedmeyer, Town Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Gregory M. Alford, Town Attorney

Introduced by Council Member: \_\_\_\_\_



Proposed Ordinance 2018-11  
Exhibit A, Right-of-Way and Easement Agreement

IN WITNESS WHEREOF, Grantor(s) has duly executed this Agreement the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Print Name: \_\_\_\_\_

TOWN OF HILTON HEAD

\_\_\_\_\_  
Print Name: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF SOUTH CAROLINA  
COUNTY OF BEAUFORT

ACKNOWLEDGMENT

I, \_\_\_\_\_, the undersigned Notary Public, do certify that \_\_\_\_\_, as \_\_\_\_\_ of the Town of Hilton Head, personally appeared before me and having satisfactorily proven to be the person whose name is subscribed above, has acknowledged the due execution of the within easement.

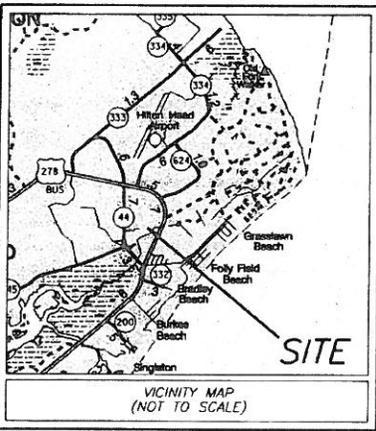
Witness my official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Print Name of Notary Public  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_

**Proposed Ordinance 2018-11**  
**Attachment B, Plat Showing Proposed Easement**

R510 008 000 0101 0000



**LEGEND**

- CONCRETE MONUMENT (SET)
  - IRON REBAR (FOUND)
- |      |                |          |
|------|----------------|----------|
| Line | Bearing        | Distance |
| 1    | S 0° 52' 15" W | 68.45'   |
| 2    | N 0° 09' 38" W | 100.00'  |

SOUTH CAROLINA STATE PLANE  
 COORDINATE SYSTEM, NAD 83 (11)  
 N 136,561.72  
 E 2,093,370.80

**TOWN OF HILTON ISLAND**  
 R510 008 000 0153 0000

**REFERENCES:**

- SEE PLAT TITLED: CENTRAL ELECTRIC POWER COOP INC ENTRANCE ROAD, GAS TURBINE SUBSTATION AND TRANSMISSION LINE, DATED APRIL 3, 1972, RECORDED IN BEAUFORT COUNTY REGISTER OF DEEDS OFFICE IN PB. 20 PG. 24.

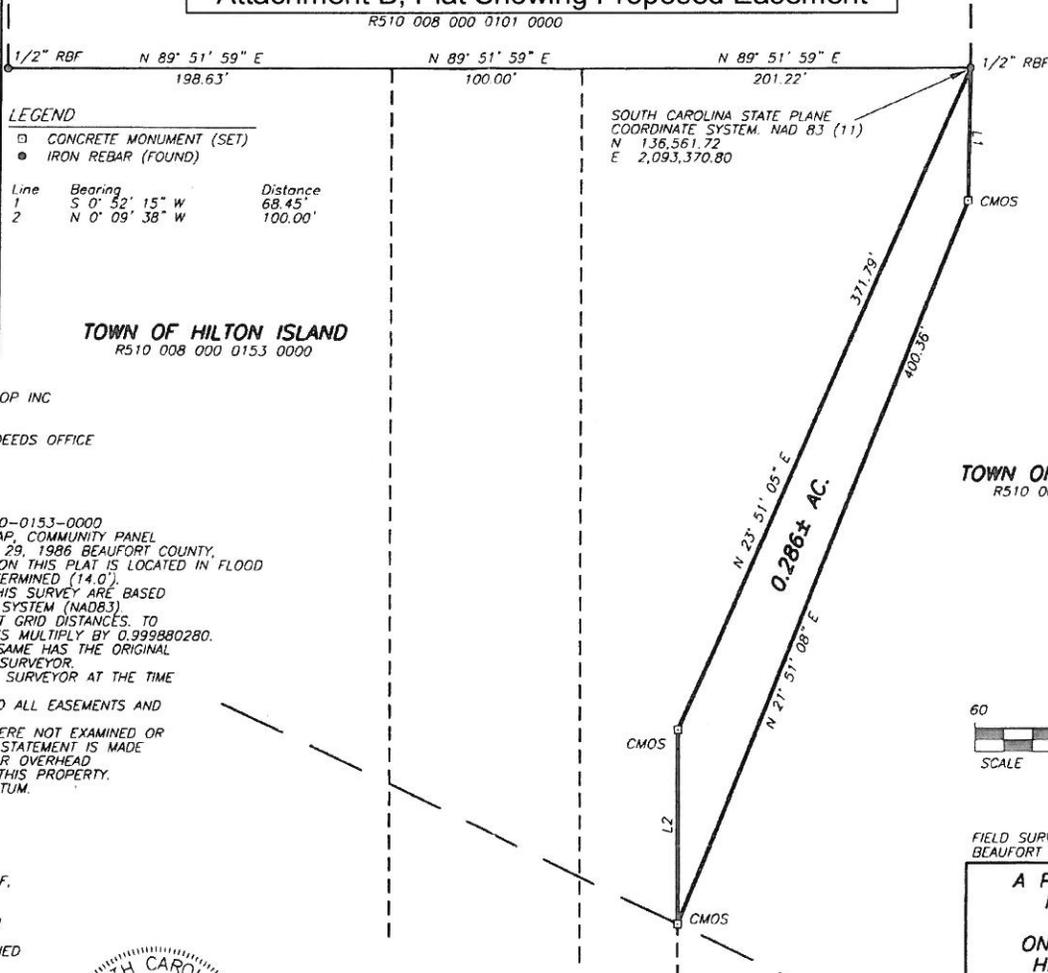
**NOTES:**

- TAX MAP NO. (PARENT TRACT): R510-008-000-0153-0000
- ACCORDING TO S.C. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 4502500014D, EFFECTIVE DATE SEPTEMBER 29, 1986 BEAUFORT COUNTY, IT IS MY OPINION THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN FLOOD HAZARD ZONE A7, BASE FLOOD ELEVATIONS DETERMINED (14.0').
- ALL BEARINGS AND COORDINATES SHOWN ON THIS SURVEY ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM (NAD83). DISTANCES SHOWN ARE GROUND DISTANCES, NOT GRID DISTANCES. TO CONVERT GROUND DISTANCES TO GRID DISTANCES MULTIPLY BY 0.999880280.
- THIS SURVEY IS VALID ONLY IF THE PRINT OF SAME HAS THE ORIGINAL SIGNATURE AND EMBOSSED SEAL OF THE LAND SURVEYOR.
- A TITLE SEARCH WAS NOT PERFORMED BY THIS SURVEYOR AT THE TIME OF THIS SURVEY.
- THE PROPERTY PLATTED HEREON IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
- SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AN ELEMENT OF THIS SURVEY. NO STATEMENT IS MADE REGARDING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTINGENCIES THAT MAY AFFECT THE USE OF THIS PROPERTY.
- CONTOUR ELEVATION IS BASED ON NGVD 29 DATUM.
- DEED REFERENCE: D.B. 843, PG. 219.

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

**PRELIMINARY**

JASON B. HAIRFIELD  
 P.L.S. NO. 28136  
 ONE RIVERWOOD DRIVE  
 MONCK'S CORNER, S.C. 29461



**TOWN OF HILTON ISLAND**  
 R510 008 000 0153 0000



FIELD SURVEY DATE: 11/27/2017  
 BEAUFORT COUNTY, SOUTH CAROLINA

**A PLAT SHOWING THE LOCATION OF  
 HILTON HEAD - HILTON HEAD  
 GAS TURBINES LOOP 115kV  
 ON THE LANDS OF THE TOWN OF  
 HILTON HEAD SURVEYED AT THE  
 REQUEST OF S.C.P.S.A.**

APPROVED

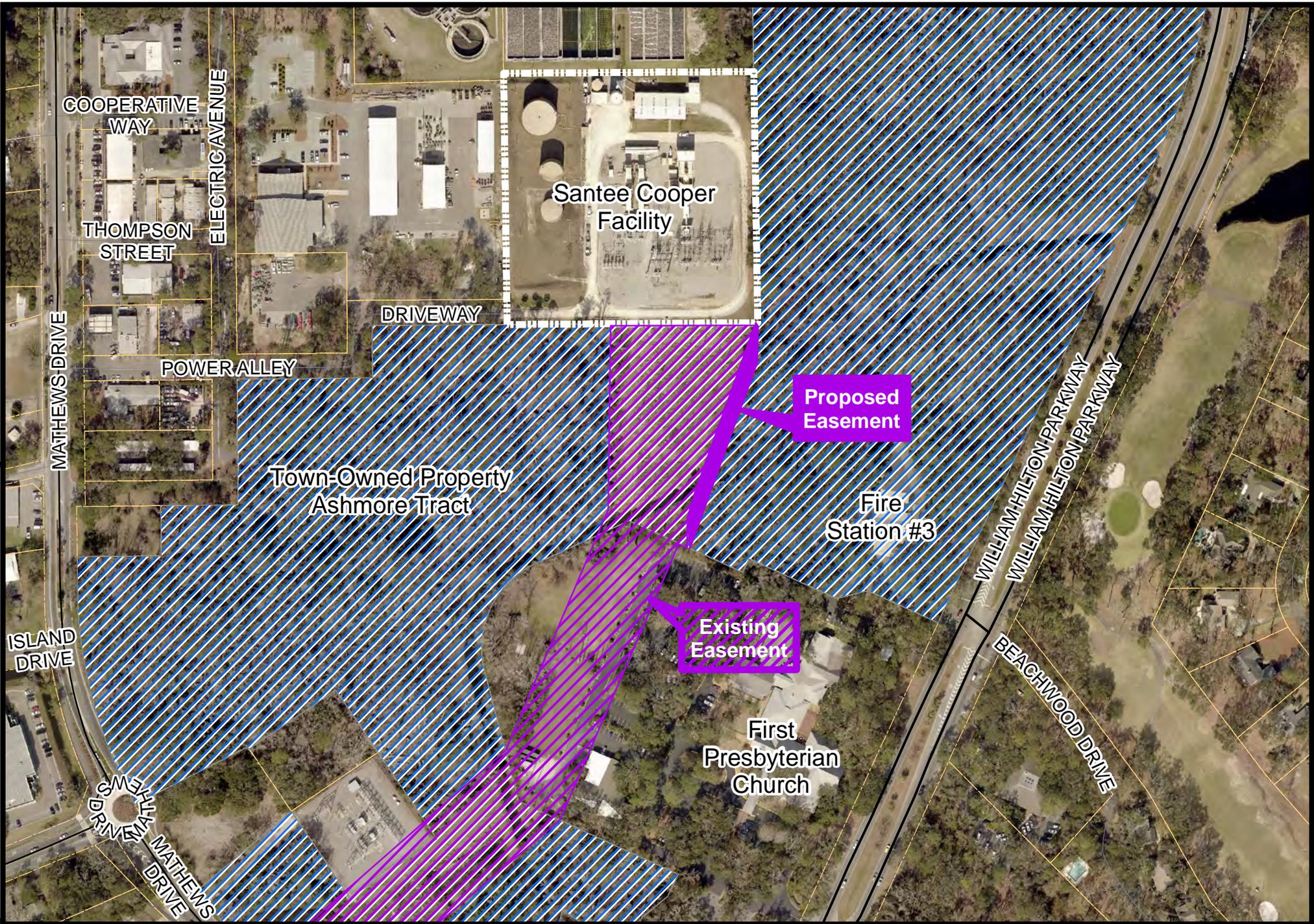


CHECKED	HAIRFIELD	SURVEY
DRAFTER	MCCREA	
DATE	12/1/2017	SHEET 1 OF 1
SCALE	1" = 60'	

REV.	DATE	DESCRIPTION	DRAFTER	CHECKED	PROJ. NO.

DRAWING NO. XXXXXXX

V:\Design\Eng\SURVEY\TRANSSUR\HiltonHead\100504\Hilton Head Gas Turbines R W.DGN



**Santee Cooper Easement**

Attachment C - Aerial Photo of Existing and Proposed Easements



TOWN OF HILTON HEAD ISLAND  
 ONE TOWN CENTER COURT  
 HILTON HEAD ISLAND, SC 29928  
 PHONE: 843.671.4000  
 01/20/2018



1 Inch = 247 Feet



The information on this map has been prepared from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the information. The Town of Hilton Head Island assumes no liability for the accuracy or completeness of the information shown on this map.



# **TOWN OF HILTON HEAD ISLAND**

---

*Community Development Department*

**TO:** Stephen G. Riley, ICMA~CM, *Town Manager*  
**VIA:** Charles Cousins, AICP, *Director of Community Development*  
**VIA:** Jennifer Ray, ASLA, *Planning and Special Projects Manager*  
**FROM:** Anne Cyran, AICP, *Senior Planner*  
**CC:** Shawn Colin, AICP, *Deputy Director of Community Development*  
**DATE:** August 30, 2018  
**SUBJECT:** HHPSD Sewer Easements Second Reading: Proposed Ordinance 2018-12

At the first reading of Proposed Ordinance 2018-12, a parcel, PIN #R511 007 000 0070 0000, was added to the list of affected Town-owned parcels. The attached Proposed Ordinance 2018-12 includes that parcel.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AUTHORIZING THE EXECUTION OF A UTILITY EASEMENT AGREEMENT WITH HILTON HEAD PUBLIC SERVICE DISTRICT TO ENCUMBER PROPERTY OWNED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, PURSUANT TO THE AUTHORITY OF S.C. CODE ANN. § 5-7-40 (SUPP. 2012), AND § 2-7-20, *CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA*, (1983); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the Town of Hilton Head Island (“Town”) owns parcels of real property known generally as Beaufort County PINs R511-007-000-050A-0000, R511-007-000-0068-0000, R511-007-000-0070-0000, R511-007-000-1058-0000, and R510-008-000-0013-0000; and located in Hilton Head Island, South Carolina (hereinafter, the “Properties”); and,

WHEREAS, Hilton Head Public Service District (“HHPD”) has planned and desires to undertake the Master Sewer Plan Project which involves the installation, upgrade and maintenance of sewer and/or water lines located in the vicinity of the Properties, which project is for the benefit and use of the general public; and

WHEREAS, the Town has determined that it is in the best interest of the Town to grant an easement to HHPD for the aforementioned purposes pursuant to that certain Utility Easement Agreement, a copy of which is attached hereto as Exhibit “A”; 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 authorized by Ordinance.

**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, AS FOLLOWS:**

**Section 1 – Execution, Delivery and Performance of Easement.**

(a) The Mayor and/or Town Manager are hereby authorized to execute and deliver the Utility Easement Agreement in substantial conformance with the attached Exhibit "A"; and,

(b) The Town Manager is hereby authorized to take such other and further actions as may be necessary to complete the performance of the Town's obligations under the terms and conditions of the Easement.

**Section 2 – 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, then 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 3. – Effective Date.**

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

**PASSED AND APPROVED BY THE TOWN COUNCIL FOR THE TOWN OF  
HILTON HEAD ISLAND, SOUTH CAROLINA, ON THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2018.**

\_\_\_\_\_  
David Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Krista Wiedmeyer, Town Clerk

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Gregory M. Alford, Town Attorney

Introduced by Council Member: \_\_\_\_\_



Proposed Ordinance 2018-12  
Exhibit A, Utility Easement Agreement

bargain, grant, and sell to HHPSD, its successors and assigns, perpetual, non-exclusive easements in the widths set forth below, on, under, over and across the following parcels:

ALL that certain piece, parcel or lot of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, consisting of 0.37 acres, more or less, shown and described as "PARCEL #68, #144 WILLIAM HILTON PKW." on a plat entitled "An As-Built, Tree and Topographic Survey of a .38 Acre Parcel, Town of Hilton Head Island, Beaufort County, South Carolina" dated January 10, 2005, prepared by T-Square Group, Inc., by Forrest F. Baughman, PLS #4922, and recorded in the Office of the Register of Deeds in Beaufort County, South Carolina, in Plat Book 104 at Page 183.

TMS: R511-007-000-0068-0000

AND ALSO, all that certain piece, parcel or lot of land, situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, and containing 4.5 acres, more or less, and being the western portion of a larger tract known as Beaufort County Tax District 510, Map 8, Parcel 13, containing 8.5 acres, more or less, with said larger tract being bounded on the East by Mathews Drive and on the South by the marshes of Broad Creek.

TMS: R510-008-000-0013-0000

AND ALSO, ALL that certain piece, parcel or tract of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, as shown and designated as four and eight hundred and forty-eight one thousandths acres (4.848), more or less, on a Plat entitled, "A Plat of 4.848 Acres," prepared by Coastal Surveying, Inc., and dated December 12, 1982 and revised on March 7, 1983. Said Plat is duly recorded in the Office of the Clerk of Court for Beaufort County, South Carolina in Judgment Roll #73660.

SAVING AND EXCEPTING that it is conclusively designated that the property hereinabove described lies outside the boundary lines of the property that is designated and described as the 2.12 acres, more or less, in a Plat entitled, "A Plat of 2.12 Acres for Charlie H. White, Irving White, Napoleon A. White," said Plat being recorded in the Office of the Register of Deeds Office for Beaufort County, South Carolina in Plat Book 21 at Page 96.

ALSO SAVING AND EXCEPTING ALL that certain parcel or strip of land, in fee simple, with improvements thereon, if any, containing 0.03 acres of land and being

Proposed Ordinance 2018-12  
Exhibit A, Utility Easement Agreement

described as follows: Within 55 feet of the survey centerline of the Cross Island Expressway on the right between approximate survey stations 349+06 and 350+46

TMS: R511-007-000-050A-0000

AND ALSO, ALL that certain piece, parcel, or tract of land, situate, lying, and being on Road S-294 (Wild Horse Road) in the Town of Hilton Head Island in Beaufort County, State of South Carolina containing approximately 0.604 of an acre of land and being shown on the South Carolina Department of Transportation Plans for Road S-294, File 7.329, sheet 6, and being the abandoned portion of old Wild Horse Road as shown on a plat entitled "Wildhorse Road Right of Way Property Transfer" prepared for the Town of Hilton Head by Wilbur Smith Associates dated November 19, 2009 and revised May 29, 2010, and recorded May 14, 2010, in Plat Book 130 at Page 103 in the Register of Deeds Office for Beaufort County.

TMS: R511-007-000-1058-0000

AND ALSO, ALL that certain piece, parcel or lot of land situate, lying and being located in the Town of Hilton Head Island, Beaufort County, South Carolina, containing 3.02 acres, more or less, which is more fully delineated on a plat prepared by Beaufort County Public Works Engineering Department, by Erik H. Freiesleben, P.E. & P.L.S., S.C. #4624, County Engineer/Surveyor for Beaufort County Council, dated November 13, 1991, and revised September 11, 1992, entitled "A 3.02 Acre and a 3.73 Acre Subdivision of a Part of Honey Horn Plantation, Hilton Head Island, South Carolina," said plat being recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 45 at Page 67.

TMS: R511-007-000-0070-0000

The easements granted herein shall be of the widths set forth below, extending from the following sewer lines shown on the engineering drawings entitled "Hilton Head Public Service District Master Sewer Plan Years 3-5 Project, Beaufort County, South Carolina" prepared by Lowcountry Engineering Consultants, LLC dated March 2018, copies of which are attached hereto as Exhibit "A":

TMS: R511-007-000-0068-0000 Five (5') feet from center of LPS sewer line; Ten (10') foot total width

TMS: R510-008-000-0013-0000 Five (5') feet from center of LPS sewer line; Ten (10') foot total width

Proposed Ordinance 2018-12  
Exhibit A, Utility Easement Agreement

TMS: R511-007-000-050A-0000 Ten (10') feet from center of sewer line; Twenty (20') foot total width

TMS: R511-007-000-1058-0000 Ten (10') feet from center of sewer line; Twenty (20') foot total width

TMS: R511-007-000-0070-0000 Ten (10') feet from center of sewer line; Twenty (20') foot total width;

(hereinafter, collectively the "Easement Property.")

The easements granted herein is for the right, privilege and authority, from time to time, to enter upon, construct, extend, inspect, operate, replace, relocate, repair, and perpetually maintain upon, over, along, across, through, and under any and all of said Easement Property now existing or hereinafter laid out, various service lines, manholes, hydrants, valves, meters, and other usual fixtures and appurtenances as may from time to time be or become convenient or necessary for the provision of water and sewer services (the "Improvements"), together with the right of ingress, egress and access to and from such Easement Property across and upon lands of the Town as may be reasonably necessary or convenient for the purposes connected therewith.

The easements are granted and accepted subject to the following terms:

1. This easements are conveyed subject to all other easements, licenses, and conveyances of record and is subject to the rights herein reserved by the Town, its successors and assigns, to utilize the Town's properties at any time, in any manner, and for any purpose, provided, however, that such use by the Town shall not be inconsistent with nor prevent the full utilization by HHPSD, of the rights and privileges granted herein. HHPSD agrees that the use of and access to the Improvements will be under the exclusive control of HHPSD and that they will at all times comply with all applicable laws, rules, codes and regulations.

Proposed Ordinance 2018-12  
Exhibit A, Utility Easement Agreement

2. HHPSD agrees to cause all work contemplated hereunder to be performed in a workmanlike fashion with minimal interference to the Town, its successors, assigns, invitees, guests, licensees, and agents. HHPSD further agrees to cause the work contemplated hereunder to be completed in an expeditious and timely fashion, 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 HHPSD pursuant to the rights granted hereunder shall be promptly removed. HHPSD shall restore any other part of the Town's property which may be damaged as a result of HHPSD's exercise of the rights granted hereunder to its pre-existing state.

3. The Town represents and warrants to HHPSD that the Town is the lawful owner in fee simple of the Easement Property and that all requisite approval and authority has been obtained for the Town to grant the easement rights specified herein.

To have and to hold, all and singular, the rights, privileges, and easements aforesaid unto the HHPSD, its successors and assigns, forever.

In Witness whereof, the parties hereto have caused the within Easement Agreement to be executed by their duly authorized officers on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

*SIGNATURES ON FOLLOWING PAGES*



Proposed Ordinance 2018-12  
Exhibit A, Utility Easement Agreement

WITNESSES

HILTON HEAD PUBLIC SERVICE  
DISTRICT

\_\_\_\_\_  
*(Signature of Witness #1)*

By: \_\_\_\_\_  
Pete Nardi, General Manager

\_\_\_\_\_  
*(Signature of Notary Public)*

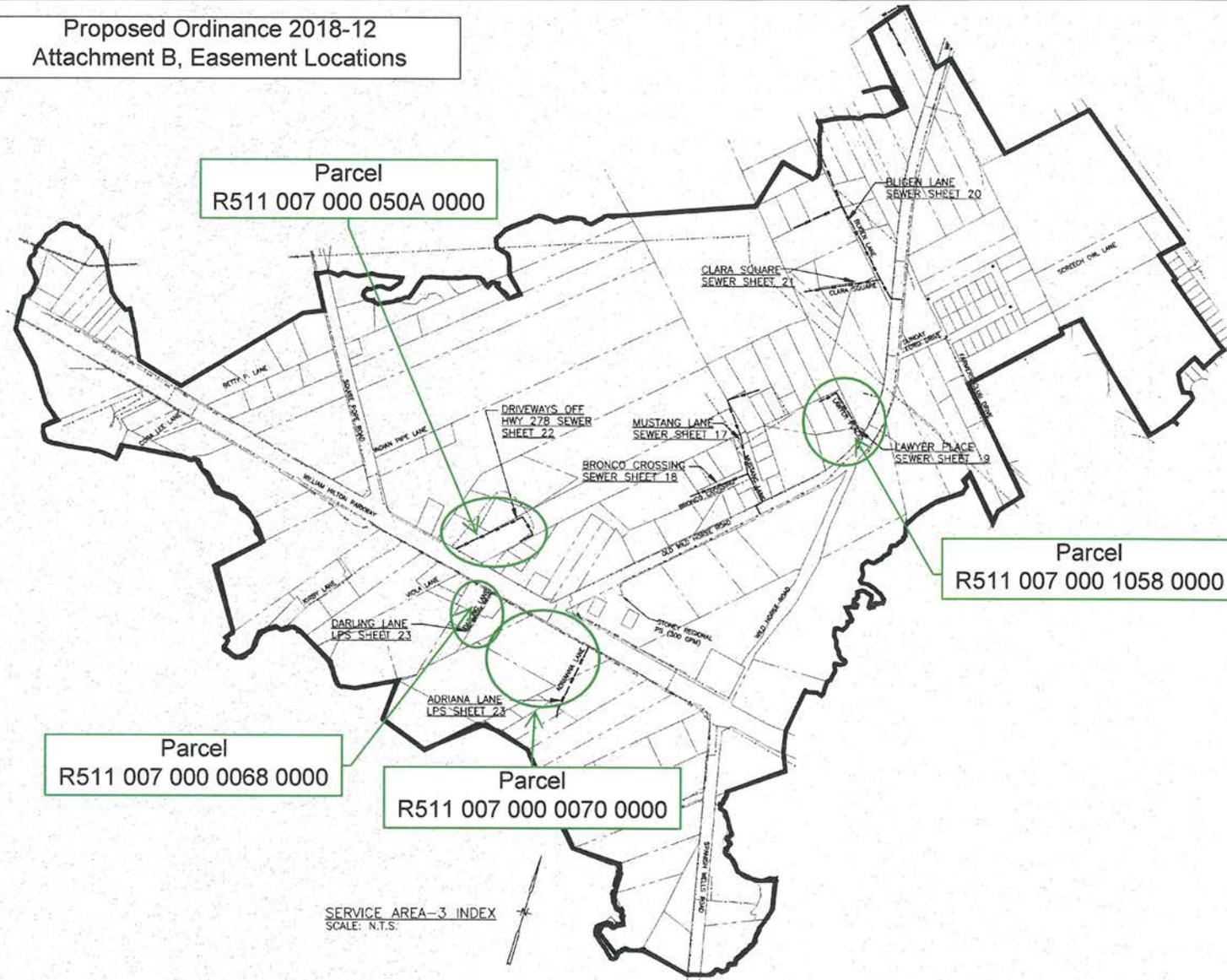
STATE OF SOUTH CAROLINA            )  
  )  
COUNTY OF BEAUFORT                )    **UNIFORM ACKNOWLEDGMENT**  
  )    **S. C. CODE ANN. § 30-5-30 (SUPP. 2018)**

I, the undersigned Notary Public do hereby certify that Pete Nardi personally appeared before me on this day and duly acknowledged the execution of the foregoing instrument on behalf of Hilton Head No. 1 Public Service District.

Sworn to and Subscribed before me  
on this \_\_\_\_ Day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_

Proposed Ordinance 2018-12  
Attachment B, Easement Locations

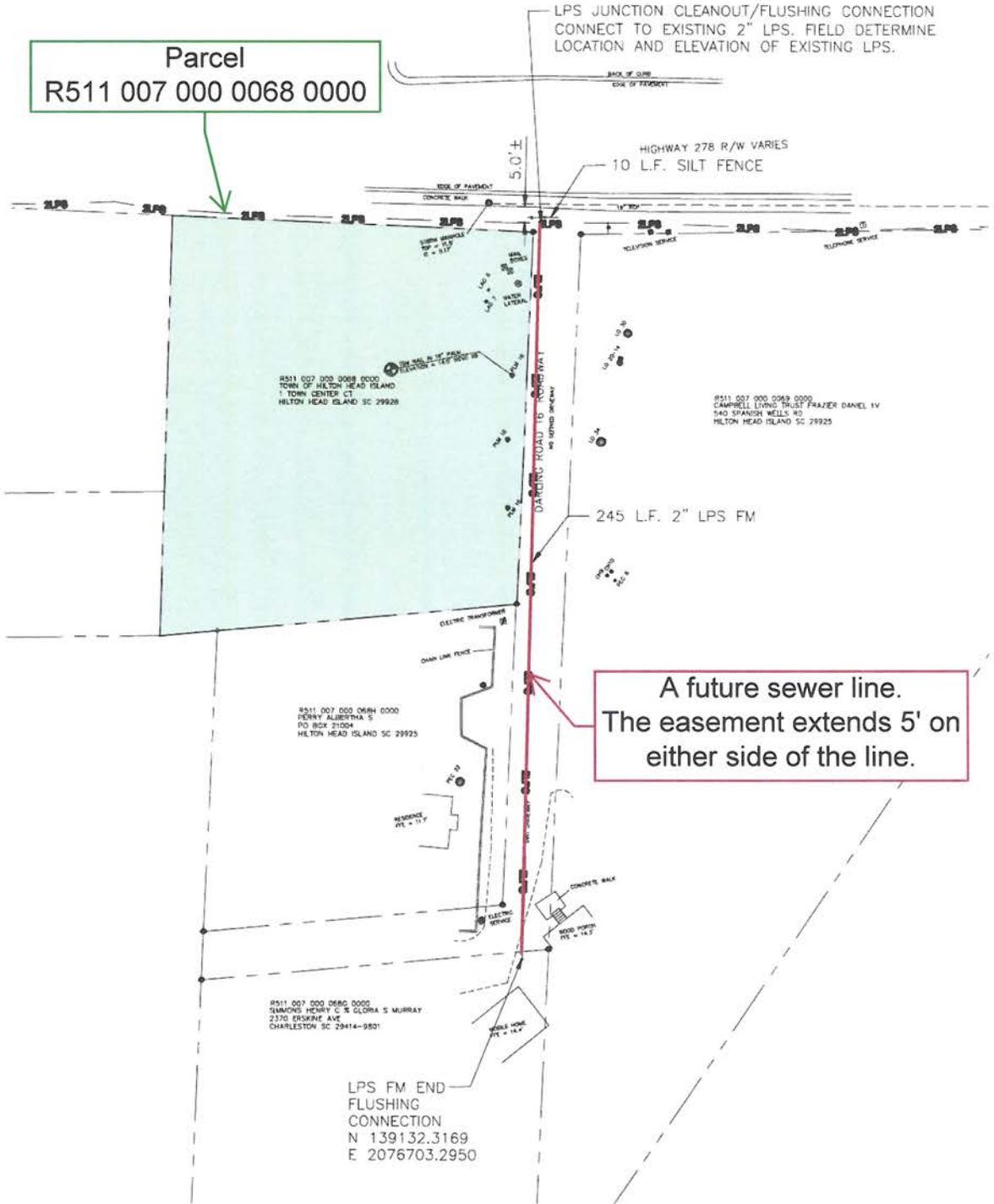


AREA - 3

HILTON HEAD PUBLIC SERVICE DISTRICT  
MASTER SEWER PLAN YEARS 3-5  
BEAUFORT COUNTY, SOUTH CAROLINA

DATE:	MARCH 2018
DESIGNER:	P.B.R.
CHECKER:	C.A.W.
APPROVER:	P.B.R.
SHEET NO.:	16

Proposed Ordinance 2018-12  
Attachment B, Easement Locations





# Proposed Ordinance 2018-12 Attachment B, Easement Locations

MH #22  
N 140807.3  
E 2077780.3  
RIM 10.28  
I.E. OUT 6.18

R510 007 000 0402 0000  
HOLMES DEJUAN R DEANNA C JTROS  
73 RED TIP VIEW  
HILTON HEAD ISLAND SC 29926

178 L.F. 8" PVC

A future sewer line.  
The easement extends 10' on  
either side of the line.

R510 007 000 034K 0000  
MILLER TONYA L RECO R  
PO BOX 21856  
HILTON HEAD ISLAND SC 29925

MH #24  
N 140542.9  
E 2077762.6  
RIM 8.48  
I.E. IN 4.77  
I.E. OUT 4.67

R510 007 000 046F 0000  
SINGLETON TIMOTHY H  
40 MUSTANG LN  
HILTON HEAD ISLAND SC 29926

206 L.F. 8" PVC

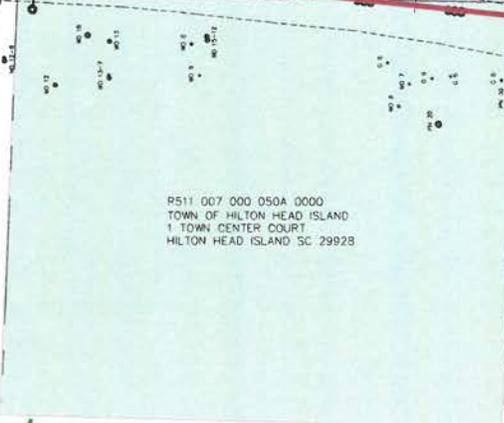
R510 007 000 045E 0000  
MERA JULIO HECTOR  
JAEN SANDRA MARCELA  
90 DILLON RD #B1  
HILTON HEAD ISLAND SC 29926

198 L.F. 8" PVC

MH #23  
N 140704.3  
E 2077634.9  
RIM 9.52  
I.E. IN 5.57  
I.E. OUT 5.47

R511 007 000 050A 0000  
TOWN OF HILTON HEAD ISLAND  
1 TOWN CENTER COURT  
HILTON HEAD ISLAND SC 29928

29925



Parcel  
R511 007 000 050A 0000

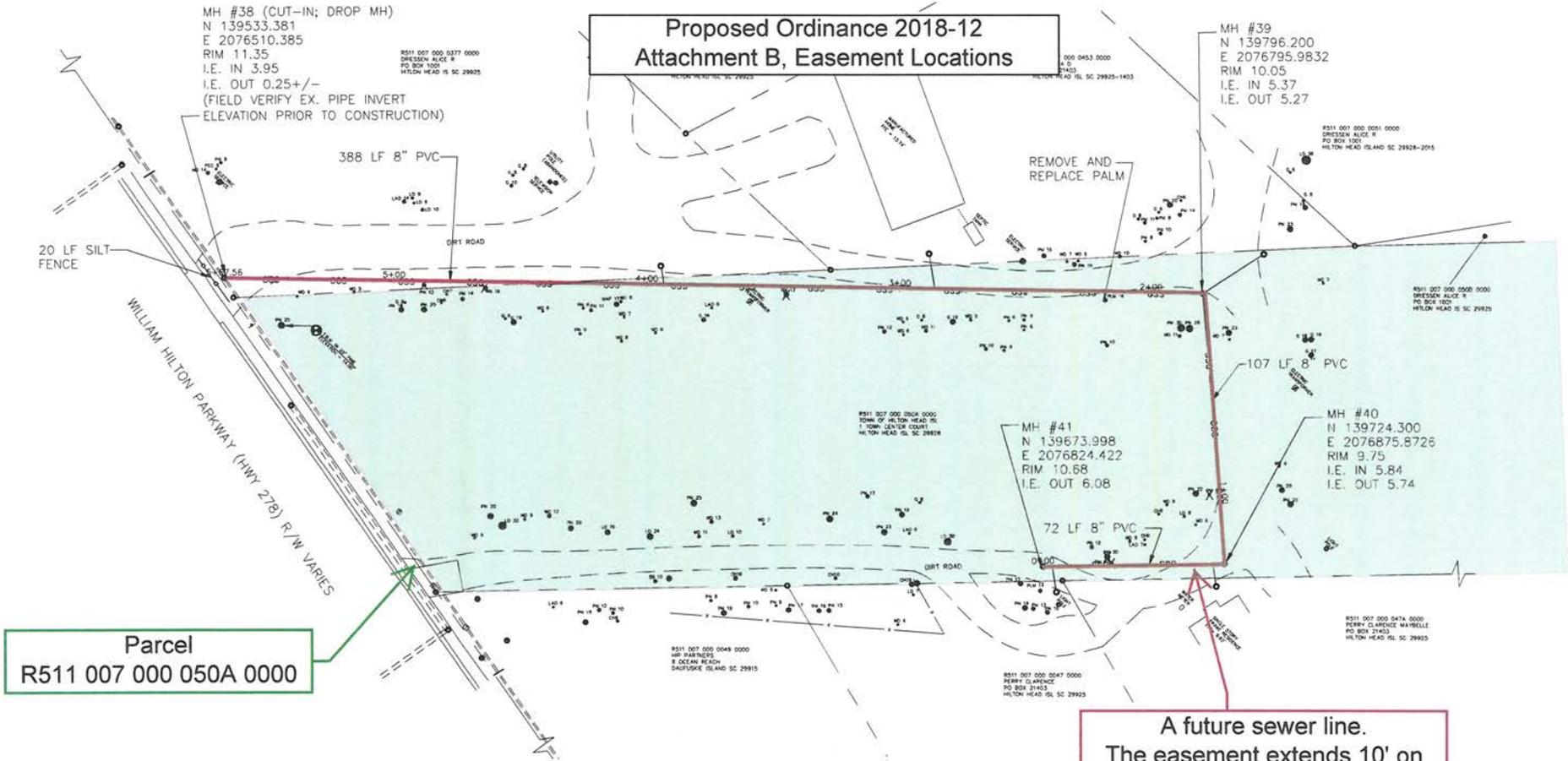
## MUSTANG LANE

SCALE: HORIZONTAL 1"=40'  
VERTICAL 1"=4'



SEE SHEET

**Proposed Ordinance 2018-12  
Attachment B, Easement Locations**



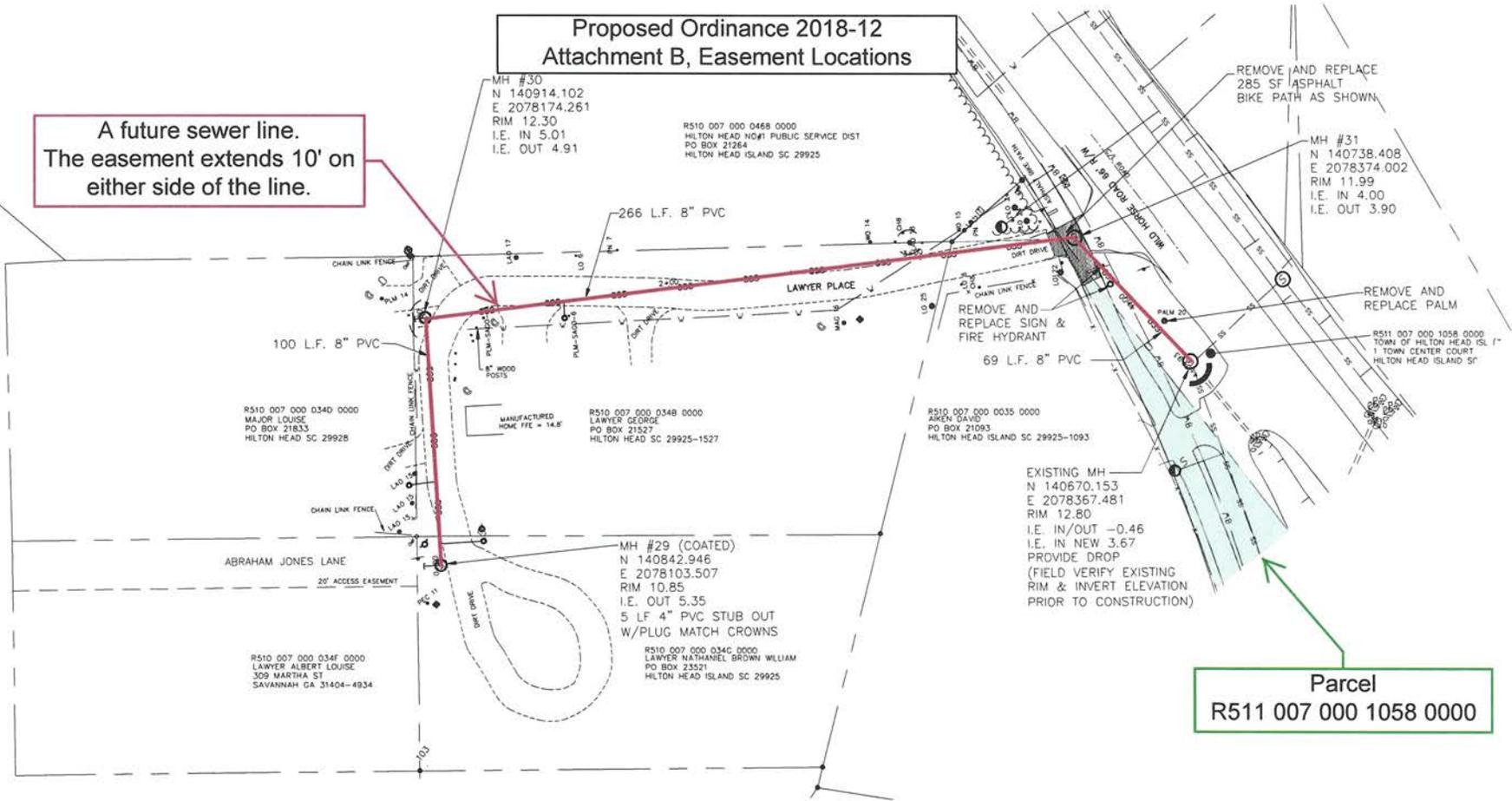
DRIVEWAY OFF HWY 278

SCALE: HORIZONTAL 1"=40'  
 VERTICAL 1"=4'

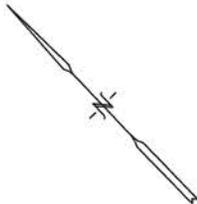
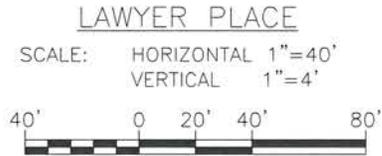


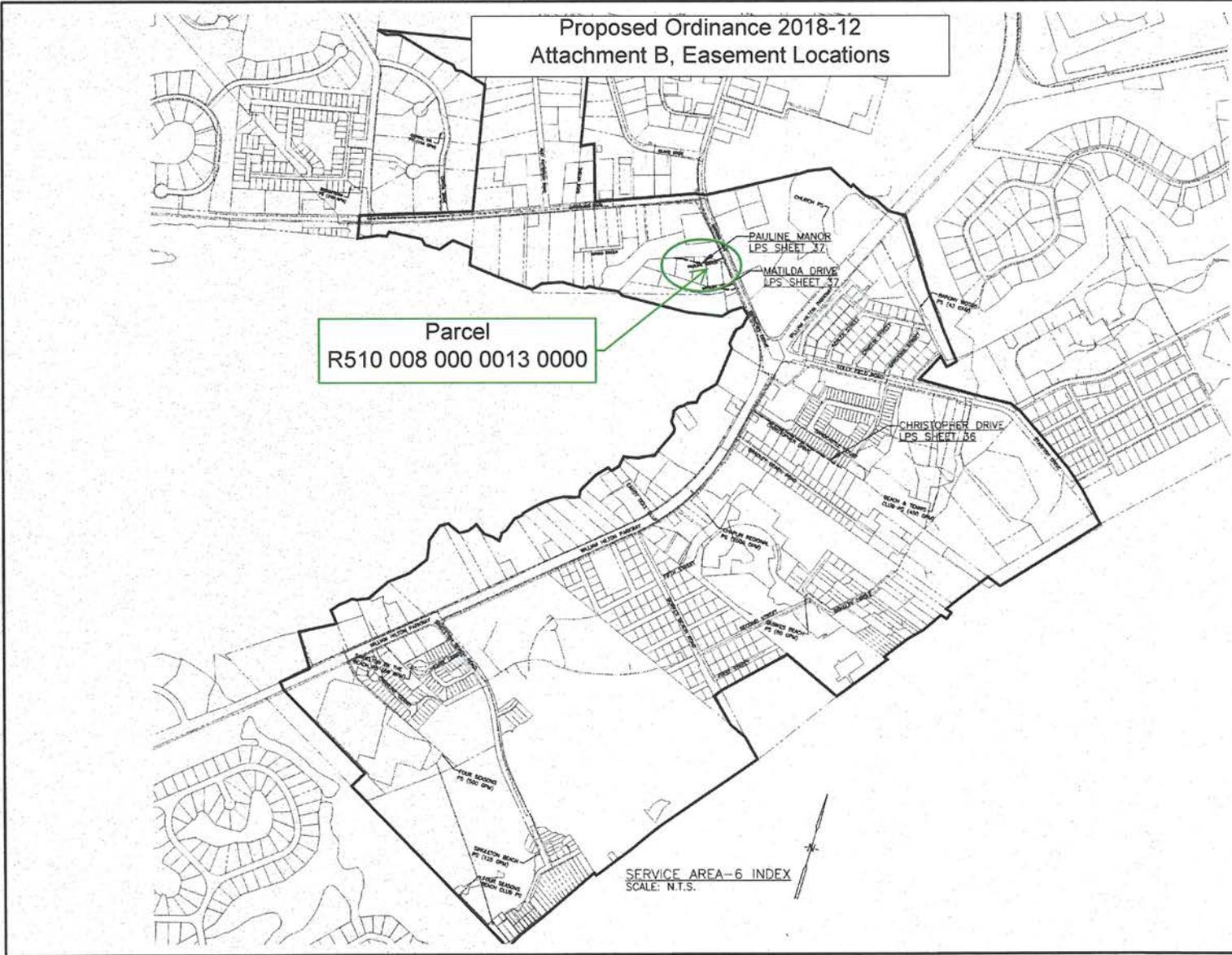
**Proposed Ordinance 2018-12  
Attachment B, Easement Locations**

A future sewer line.  
The easement extends 10' on  
either side of the line.



**Parcel  
R511 007 000 1058 0000**





**LOWCOUNTRY**  
ENGINEERING, INC.  
REGISTERED PROFESSIONAL ENGINEERS

AREA - 6

HILTON HEAD PUBLIC SERVICE DISTRICT  
MASTER SEWER PLAN YEARS 3-5  
BEAUFORT COUNTY, SOUTH CAROLINA

DATE	3/15/2018
DESIGNED BY	P.B.M.
CHECKED BY	C.A.M.
DATE PLOTTED	3/15/2018
SCALE	N.T.S.

**Proposed Ordinance 2018-12  
Attachment B, Easement Locations**

**Parcel  
R510 008 000 0013 0000**

LPS JUNCTION CLEANOUT/FLUSHING CONNECTION.  
CONNECT TO EXISTING 2" LPS. FIELD DETERMINE  
LOCATION AND ELEVATION OF EXISTING LPS.

R510 008 000 0013 0000  
TOWN OF HILTON HEAD ISLAND SOUTH CAR  
1 TOWN CENTER CT  
HILTON HEAD ISLAND SC 29928

LPS FM END  
FLUSHING CONNECTION  
N 134995.4871  
E 2092023.9913

EDGE OF MARSH

PAULINE MANOR

45 L.F. SILT FENCE

MATHEWS DRIVE R/W VARIES

25 L.F. TREE PROTECTION

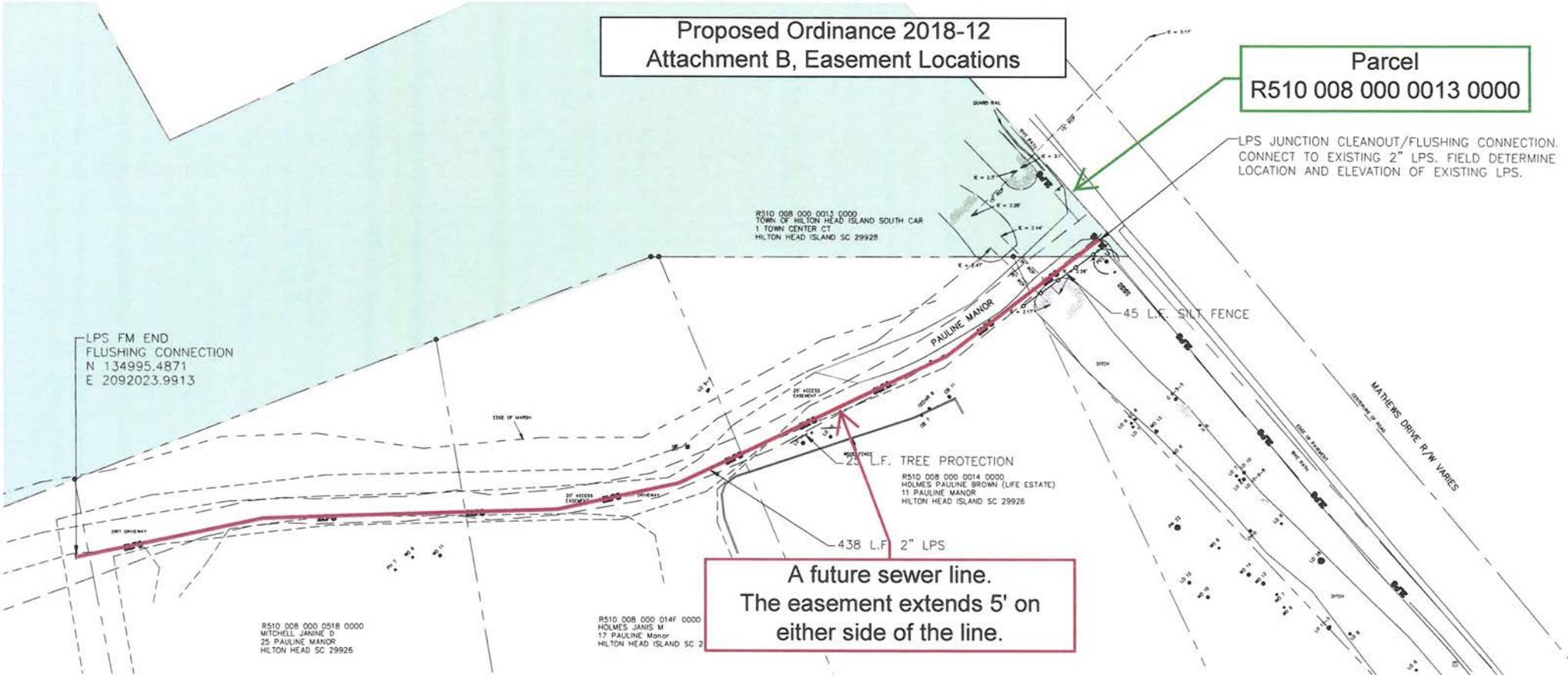
R510 008 000 0014 0000  
HOLMES PAULINE BROWN (LIFE ESTATE)  
11 PAULINE MANOR  
HILTON HEAD ISLAND SC 29926

438 L.F. 2" LPS

**A future sewer line.  
The easement extends 5' on  
either side of the line.**

R510 008 000 0518 0000  
MITCHELL JAVINE D  
25 PAULINE MANOR  
HILTON HEAD SC 29926

R510 008 000 014F 0000  
HOLMES JANIS M  
17 PAULINE Manor  
HILTON HEAD ISLAND SC 2





---

## TOWN OF HILTON HEAD ISLAND

### *Community Development Department*

---

**TO:** Stephen G. Riley, ICMA~CM, *Town Manager*  
**VIA:** Charles Cousins, AICP, *Director of Community Development*  
**VIA:** Teri B. Lewis, AICP, *LMO Official*  
**VIA:** Nicole Dixon, CFM, *Development Review Administrator*  
**FROM:** Taylor Ladd, *Senior Planner*  
**CC:** Shawn Colin, AICP, *Deputy Director of Community Development*  
**DATE:** August 23, 2018  
**SUBJECT:** ZA-001467-2018 – 280 Fish Haul Road Rezoning

---

**Recommendation:** The Planning Commission held a public hearing on August 1, 2018 to review the Zoning Map Amendment application. At this meeting, the Commission decided to leave the hearing open until the next meeting on August 15, 2018 in order to allow the developer to be present at the meeting to answer questions from the Commission. At the August 15, 2018 meeting, the Commission voted 5-2-1 to recommend forwarding the application to Town Council with a recommendation of approval based on the Findings of Fact and Conclusions of Law in the staff report.

Staff recommends that Town Council approve the application.

**Summary:** Property owners Thomas C. Barnwell, Jr. and Perry White are proposing to amend the Official Zoning Map by changing the zoning designation of an undeveloped 6.22-acre parcel located at 280 Fish Haul Road. The parcel is bisected by Fish Haul Road. The request is to rezone the northern portion from RM-4 (Low to Moderate Density Residential) to MV (Mitchelville), and to rezone the southern portion from RM-8 (Moderate Density Residential) to MV (Mitchelville). The effect of this rezoning will be to increase the available density and to increase the number and type of allowable uses.

The proposed rezoning will allow a range of uses that are compatible with the uses allowed on other properties in the vicinity, as well as align with the purpose of the MV District zoning program as a district established to facilitate development in this area of the island.

**Background:** Thomas C. Barnwell, Jr. and Perry White, Trustees for the Ben White Trust, are pursuing a zoning map amendment to rezone the subject property to facilitate their sale of the subject property.

The subject property is located within the historic Baygall neighborhood. It is bisected by Fish Haul Road via a 40-foot access easement. The easement agreement is with Beaufort County, who paved it in 2013. In 1983, the property was zoned RM-4. The Official Zoning Map adopted in 2014 split zoned the property with one portion RM-4 and one portion RM-8.

Please contact me at (843) 341-4607 or at [taylorl@hiltonheadislandsc.gov](mailto:taylorl@hiltonheadislandsc.gov) if you have any questions.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO. 2018-**

**PROPOSED ORDINANCE NO. 2018-08**

**AN ORDINANCE TO AMEND TITLE 16, "THE LAND MANAGEMENT ORDINANCE," OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, BY AMENDING SECTION 16-1-107, THE OFFICIAL ZONING MAP WITH RESPECT TO THE CERTAIN PARCEL IDENTIFIED AS PARCEL 16 ON BEAUFORT COUNTY TAX MAP 4 TO REZONE THE PARCEL FROM THE RM-4 (LOW TO MODERATE DENSITY RESIDENTIAL) AND RM-8 (MODERATE DENSITY RESIDENTIAL) ZONING DISTRICTS TO THE MV (MITCHELVILLE) ZONING DISTRICT; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, on October 7, 2014, the Town Council did adopt a new Land Management Ordinance (LMO); and

**WHEREAS**, this zoning change would be compatible with surrounding land uses and neighborhood character, would not be detrimental to the public health, safety and welfare, and further, would be in conformance with the Land Management Ordinance and Comprehensive Plan; and

**WHEREAS**, the Planning Commission held a public hearing on August 1, 2018 and on August 15, 2018 at which time a presentation was made by staff and an opportunity was given for the public to comment on the proposed zoning map amendment application; and

**WHEREAS**, the Planning Commission, after consideration of the staff presentation, public comments and the criteria set forth in Section 16-2-103, voted 5-2-1 to recommend that Town Council approve the proposed zoning map amendment application; and

**WHEREAS**, after due consideration of said zoning map amendment application and the recommendation of the Planning Commission, the Town Council, upon further review, finds it is in the public interest that the subject parcel be rezoned to the MV zoning district.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF THE SAID COUNCIL:**

**Section 1. Amendment.** That the Official Zoning Map of the Town of Hilton Head Island, as referred to in Section 16-1-107 of the LMO, be hereby amended to modify the zoning designation of the certain parcel identified as Parcel 16 on Beaufort County Tax Map 4 to rezone the parcel from the RM-4 (Low to Moderate Density Residential) and RM-8 (Moderate Density Residential) Zoning Districts to the MV (Mitchelville) Zoning District.

**Section 2. 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 3. Effective Date.** This Ordinance shall be effective upon its adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

THE TOWN OF HILTON HEAD  
ISLAND, SOUTH CAROLINA

\_\_\_\_\_  
David Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Krista Wiedmeyer, Town Clerk

Public Hearing: August 1, 2018 and August 15, 2018

First Reading:

Second Reading:

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory M. Alford, Town Attorney

Introduced by Council Member: \_\_\_\_\_



**TOWN OF HILTON HEAD ISLAND  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
-----------------------	------------------------------	--------------	------------------

**STAFF REPORT  
ZONING MAP AMENDMENT**

Case #	Name of Project or Development	Public Hearing Date
ZA-001467-2018	280 Fish Haul Road	August 1, 2018

Parcel Data & Location	Owners & Applicants
<u>Parcel ID:</u> R510 004 000 0016 0000 <u>Size:</u> 6.22 Acres <u>Address:</u> 280 Fish Haul Road	Thomas C. Barnwell, Jr. & Perry White P.O. Box 21031 Hilton Head Island, SC 29925
Existing Zoning Districts	Proposed Zoning Districts
COR – Corridor Overlay District within 500’ of the O.C.R.M. critical line. RM-4 – Low to Moderate Density Residential RM-8 – Moderate Density Residential (See Attachment C for complete Zoning District Information)	COR – Corridor Overlay District within 500’ of the O.C.R.M. critical line. MV – Mitchelville (See Attachment C for complete Zoning District Information)

Application Summary
<p>Property owners Thomas C. Barnwell, Jr. and Perry White are proposing to amend the Official Zoning Map by changing the zoning designation of an undeveloped 6.22-acre parcel located at 280 Fish Haul Road. The parcel is bisected by Fish Haul Road. The request is to rezone the northern portion from RM-4 (Low to Moderate Density Residential) to MV (Mitchelville), and to rezone the southern portion from RM-8 (Moderate Density Residential) to MV (Mitchelville). The effect of this rezoning will be to increase the available density and to increase the number and type of allowable uses.</p>

Staff Recommendation
<p>Staff recommends the Planning Commission find this application <b>to be consistent with the Town’s Comprehensive Plan</b> and to <b>carry out the purposes of the LMO</b>, based on those Findings of Facts and Conclusions of Law as determined by the LMO Official and enclosed herein.</p>

Background

The subject property is 6.22 acres and located at the intersection of Mitchelville Road and Fish Haul Road. It has been bisected by Fish Haul Road since at least 1965, based on aerial images. The property is bounded to the northeast by Mitchelville Road, to the northwest by four single-family parcels, to the southwest by Palmetto Hall golf facilities, and to the southeast by Palmetto Hall golf facilities and a single-family home. Port Royal Sound is less than 500 feet to the northeast and across Mitchelville Road from the subject property. The property and adjacent parcels in RM-4, RM-8, and MV Districts are part of the historic Bay Gall neighborhood. See Attachment A for a vicinity map.

Thomas C. Barnwell, Jr. and Perry White are the property owners of record as trustees for the Ben White Trust. There are no property sales on record with the Beaufort County Register of Deeds. There is record of title transfer to the White family heirs and incorporation into the Ben White Trust in approximately 1993. Prior to 1993, the property was held in trust by the family.

There is no record the subject property has ever been developed. Aerial imagery since 1955 shows the property has remained vacant. The 2005 Boundary Survey (Attachment E) designates the Fish Haul Road access through the property as a dirt road encompassing 0.9 acres of the property leaving 6.22 net acres. In 2013, this portion of Fish Haul Road was paved by Beaufort County with 20-foot of pavement within a 40-foot easement granted by the property owners.

On the 1986 Official Zoning Map, the entire property was designated as RM-4 and remained RM-4 until the current zoning map was adopted in 2014. At that time, the northern portion of the property remained RM-4 to correlate with adjacent properties to the north of Fish Haul Road and west of Mitchelville Road. The southern portion was rezoned to RM-8 to correlate with adjacent properties to the south of Fish Haul Road and west of Mitchelville Road. See Attachment B for the vicinity zoning map and Attachment C for the RM-4 and RM-8 District use tables.

Approximately two acres of the subject property is zoned RM-4. The RM-4 District allows the following Residential Uses: Group Living, Multifamily, and Single Family residential uses at a density of four units per net acre for parcels under three acres in size; six units per net acre for parcels between three and five acres in size; and eight units per net acre for parcels that are five acres or larger. Other uses permitted include Public, Civic, Institutional, and Educational uses; Bed and Breakfasts with conditions; conditional Commercial Services; and Other Uses including Agriculture, Boat Ramps, Docking Facilities, and Marinas. In the RM-4 District the maximum density for nonresidential uses is 6,000 square feet of gross floor area (GFA) per net acre and ten rooms per net acre for Bed and Breakfasts. The maximum building height is 35 feet and maximum impervious lot coverage for all development except single family is 35 percent. See Attachment B for the vicinity zoning map and Attachment C for the RM-4 District use table.

Approximately four acres of the subject property is zoned RM-8. The RM-8 District is similar to RM-4; however, the maximum residential density in the RM-8 District is eight units per net acre regardless of the size of the parcel. Unlike the RM-4 District, Cemeteries and Resort Accommodations are not permitted in the RM-8 District; the other permitted uses are the same. The maximum building height in the RM-8 District is 45 feet and maximum impervious lot coverage for all development except single family is 35 percent. See Attachment B for the vicinity zoning map and Attachment C for the RM-8 District use table.

The MV District permits Mixed-Use, Multifamily, and Single Family residential uses at a density of 12 units per net acre. Other uses permitted in MV District are extensive and variable. The permitted uses support the purpose of the district, which is to recognize the historical and cultural significance of the area and to facilitate development. See Attachment C for a full list of uses permitted in the MV District. The maximum nonresidential density is 8,000 GFA per net acre, the maximum building height is 75 feet and the maximum impervious lot coverage is 50 percent.

Currently and proposed, access to the subject property is by Fish Haul Road and Mitchelville Road. The developer may be required to make improvements to the property access roads as part of the

Development Plan Review process. Electric and water service are currently available. Though sewer service is not currently available, the Hilton Head Island Public Service District stated the owner can install a low pressure sewer line at the owners' expense. Fire Rescue has the capability to immediately access the subject property.

Staff has not received any correspondence from the public regarding this Zoning Map Amendment application other than two phone calls from adjacent property owners requesting an explanation about the proposed rezoning. Neither party specified opposition to the rezoning.

#### **Applicant's Grounds for ZMA**

Thomas C. Barnwell, Jr. and Perry White, Trustees for the Ben White Trust, are pursuing a zoning map amendment to rezone the subject property to facilitate their sale of the subject property. The Ben White Trust has entered into a pending contract with Web Investment Group, LLC. A density of 12 du per net acre is one of the conditions of the sale. The buyer/developer is planning a multi-family housing project with long-term rental units on the subject property with moderately priced single-family homes on adjacent tracts in the Mitchelville District: Parcel Numbers 9A, 10 and 11 on Tax Map 4. All parcels would operate as one mixed residential product development. See Attachment E for a boundary survey and Attachment F for the narrative provided by the applicant. The proposed change in zoning will increase the density and the number and type of permitted uses on the subject property.

#### **Summary of Facts and Conclusions of Law**

##### **Findings of Fact:**

1. The application was submitted on June 16, 2018 as set forth in LMO 16-2-103.C and Appendix D-1.
2. Per LMO 16-2-102.E.1, when an application is subject to a hearing, the LMO Official shall ensure that the hearing on the application is scheduled for a regularly scheduled meeting of the body conducting the hearing.
3. The LMO Official scheduled the public hearing of the application for the August 1, 2018 Planning Commission meeting, which is a regularly scheduled meeting of the Planning Commission.
4. Per LMO 16-2-102.E, the LMO Official shall publish a notice of the public hearing in a newspaper of general circulation in the Town no less than 15 calendar days before the hearing date.
5. Notice of the August 1, 2018 public hearing was published in the Island Packet on July 15, 2018.
6. Per LMO 16-2-102.E.2, the applicant shall mail a notice of the public hearing by first-class mail to the owners of the land subject to the application and owners of record of properties within 350 feet of the subject land, no less than 15 calendar days before the hearing date.
7. The Town mailed notices of the August 1, 2018 public hearing by first-class mail to the owners of record of the properties being rezoned and to the owners of record of properties within 350 feet of the subject land on July 17, 2018.
8. Per LMO 16-2-102.E.2, the LMO Official shall post conspicuous notice of the public hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one notice being visible from each public thoroughfare that abuts the subject land.
9. The LMO Official posted on July 16, 2018 conspicuous notice of the August 1, 2018 public hearing on the lands subject to the application.

##### **Conclusions of Law:**

1. The application was submitted in compliance with LMO 16-2-103.C and Appendix D-1.
2. The LMO Official scheduled the public hearing of the application for the August 1, 2018 Planning Commission meeting, in compliance with LMO 16-2-102.E.1.
3. Notice of the public hearing was published 17 calendar days before the meeting date, in compliance with LMO 16-2-102.E.2.
4. The applicant mailed notices of the public hearing to owners of record of the properties being rezoned and to the owners of record of properties within 350 feet of the subject land 15 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.
5. The LMO Official posted conspicuous notice of the public hearing 16 calendar days before the hearing date, in compliance with LMO 16-2-102.E.2.

*As set forth in LMO 16-2-103.C.2.e, Zoning Map Amendment (Rezoning) Advisory Body Review and Recommendation, the Commission shall consider and make findings on the following matters regarding the proposed amendment.*

### **Summary of Facts and Conclusions of Law**

*Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO 16-2-103.C.3.a.i):*

#### **Findings of Fact:**

The Comprehensive Plan addresses this application in the following areas:

#### **Housing Element**

##### **Implications for the Comprehensive Plan – 5.2 Housing Opportunities**

- A sustainable workforce is essential to the future economic potential of the Island. To be sustainable over the horizon envisioned by this Comprehensive Plan, the workforce needs appropriate education, training, and access to affordable housing. While efforts for education and training may be broadly addressed on a regional basis, the current strategy for affordable housing seems to hinge on an off-Island labor pool. While this may meet short term (3-5 years) needs, potential development in Jasper County and other areas west of the Island may create competitive pressure on this off-Island labor pool and may threaten the Island's access to a viable work force.
- It is important that the Town of Hilton Head Island assists in the ability for the population to age in place. As the average age of the population gets older, the needs of the community change. It is important that housing options accommodate these changes. It is also important that the family and friends that support aging family members are able to reside in close proximity. The location of assisted living facilities is also important. Special complimentary land uses and associated infrastructure are needed. When one ages in place, it is important that one is living in close proximity to basic services, for instance banks, grocery stores and medical services and provisions for emergency evacuation are considered.

##### **Goal 5.2 – Housing Opportunities**

- B. To look at housing opportunities as a mechanism to maintain its essential workforce.
- C. To encourage housing options that provide opportunities for residents to age in place.

#### **Land Use Element**

##### **Goal 8.10 – Zoning Changes**

- A. To provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island.

##### **Implementation Strategy 8.10 – Zoning Changes**

- B. Consider focusing higher intensity land uses in areas with available sewer connections.

**Additional Findings of Fact:**

1. The proposed rezoning would increase the number of dwelling units allowed on the subject parcel from 40 to 74.
2. The subject property is not located near major tourist attractions.
3. The subject property is not located directly on the water.
4. The median home value on Hilton Head Island is about \$400,000.
5. The average value of homes outside of gated communities in the area around the subject property is \$200,000.
6. New housing developments are proposed or are currently being developed in the area: Beach City Place; Beach City Commons; 140 Fish Haul Road; and Ocean Breeze Cottages.
7. Group Living uses, including Assisted Living Facilities, are permitted in the RM-4 and RM-8 Districts.
8. Group Living uses are not permitted in the MV District.
9. The subject property is located almost four miles from a grocery store, more than three miles from a bank, and three miles from medical services.
10. The subject property does not contain any known wetlands, dunes, or other environmentally sensitive features.
11. Sewer service is not currently available to the subject property.
12. The Hilton Head Island Public Service District stated the property could have sewer service if the developer pays for the installation of a low pressure sewer line.
13. Establishing sewer service to the subject parcel would be required as part of a Development Plan Review or Subdivision application.

**Conclusions of Law:**

1. This application is **consistent** with the Comprehensive Plan, as described in the Housing, Community Facilities, and Land Use Elements as set forth in LMO Section 16-2-103.C.3.a.i.
2. The proposed rezoning would allow almost twice the number of residential dwelling units to be developed on the subject parcel. Given the location of the property, it is likely most profitably developed for residential use. Based on the value of homes in the area, it is likely that residences developed on this property would be moderately priced and therefore could provide additional workforce housing. Since providing additional housing opportunities maintain the Island's essential workforce is a goal of the Housing Element, the proposed rezoning is consistent with the Housing Element.
3. The Housing Element states the Town should encourage housing options, such as Assisted Living Facilities, that provide opportunities for residents to age in place. Though the proposed rezoning would remove Group Living from the list of allowed uses on the subject parcel, the parcel is not located in close proximity to basic services and therefore is not an ideal location for Group Living uses. The proposed rezoning is consistent with this provision of the Housing Element.
4. Goal 8.10-A of the Land Use Element is to provide appropriate modifications to the zoning designations to meet market demands while maintaining the character of the Island. The new residential development in the area of the subject property suggests there is an increased demand for housing in this area of the island. The subject property is surrounded by properties in the RM-4, MV, and RM-8 Districts. The subject property does not contain any known environmentally sensitive features. Rezoning the subject property from the RM-4 and RM-8 Districts to the MV District would be consistent with the character of the area while allowing the property to be developed at a higher density, consistent with the market demand for residential development in that area.
5. The proposed rezoning would allow higher density development on a parcel that currently does not have sewer service, which appears to be inconsistent with Implementation Strategy

8.10-B of the Land Use Element. However, since the Hilton Head Island Public Service District states the sewer service can be extended to the property and since the Town will require sewer service for the property to be developed, the proposed rezoning is consistent with the Land Use Element.

#### **Summary of Facts and Conclusions of Law**

*Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO 16-2-103.C.3.a.ii):*

#### **Findings of Fact:**

1. The properties adjacent to the subject parcel are zoned MV, RM-4, RM-8, and PD-1 Palmetto Hall (Planned Development Mixed-Use). Less than one half-mile from the subject property is the PD-1 Zoning District for Hilton Head Plantation.
2. The proposed rezoning to MV will permit a variety of use types: Residential; Civic, Public, Institutional and Educational; Resort Accommodation; Commercial Recreation; Office; Commercial Services; Vehicle Sales and Services; Industrial Uses and Others, such as Agriculture. See Attachment C for a complete list of uses permitted within these categories. Conditions not met by the subject property for uses like Boat Ramps and Seafood Processing are due to the lack of direct waterfront access. Conditions not met by the subject property for Outdoor Commercial Recreation other than Water Parks and Convenience Stores are due to the property not having frontage on a minor arterial. Conditions not met by the subject property for Liquor Stores and Night Clubs or Bars are due to and proximity to residential RM districts. Auto Rentals in this district can only be associated with a Resort development.
3. The uses permitted in the RM-4 District are similar to the uses permitted in the MV District, except that Group Living, Government Uses, and Education Uses are not permitted in the MV District. Use categories not permitted in the RM-4 District that are permitted in the MV District include Commercial Recreation, Office, Vehicle Sales and Services, and Industrial.
4. The uses permitted in the RM-8 District are similar to the uses permitted in the MV District, except that Group Living and Government uses are not permitted in the MV District. Use categories not permitted in the RM-8 District that are permitted in the MV District include Resort Accommodation, Commercial Recreation, Office, Vehicle Sales and Services, and Industrial.
5. The uses permitted in the PD-1 District are restricted to those listed for each parcel in the approved Master Plan. The two properties directly south of the subject property are in the PD-1 District. The approved uses of those properties are residential and recreation (golf and facilities), and common area. The properties are already developed as the Palmetto Hall Golf Maintenance facility, Holes Five and Six of the Arthur Hills golf course, and a Public Service District storage lagoon.

#### **Conclusions of Law:**

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.ii.
2. The proposed rezoning will allow a range of uses that are compatible with the uses allowed on other properties in the vicinity.
3. The residential and permitted or permitted with conditions nonresidential uses that would be allowed on the subject property as a result of the rezoning will be compatible with the uses on the adjacent MV, RM-4, RM-8 and PD-1 zoned parcels.

#### **Summary of Facts and Conclusions of Law**

*Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO 16-2-103.C.a.iii):*

**Findings of Fact:**

1. The subject property is currently zoned RM-4 and RM-8 due to its proximity to other parcels with similar zoning. The parcel is split zoned due to being bisected by Fish Haul Road and subsequently divided into two independently zoned portions.
2. Fish Haul Road has been paved by the County with the paved portions of Mitchelville Road and Bay Gall Road in the area supporting development on this parcel. The developer may be required to make road improvements as determined during the Development Plan Review process.
3. There are no known sensitive environmental features on the subject property.
4. The subject property is located within one-half mile of community amenities such as the Barker Field complex with access to the beach via Fish Haul Beach Park. The Town public bike path extends to the corner of the property at Fish Haul Road and Mitchelville Road.
5. The proposed rezoning will allow all the uses listed in the MV District, except those with conditions not met by the subject property due to access, location, proximity to residential districts or specific use associations. An example of a specific use association is Auto Rentals, which are only permitted in association with a Resort.
6. Many of the uses permitted within the MV District that are waterfront in nature would be irrelevant to development on this parcel due to conditional restrictions having to do with waterfront properties. These include Watercraft Sales, Rentals or Service; Boat Ramps, Docking Facilities and Marinas; and Seafood Processing.
7. Uses permitted within the MV District that require the condition of direct access to a minor arterial roadway would not be permitted on the subject property. Fish Haul Road and Mitchelville Road are not classified as minor arterials per the LMO. These uses include Outdoor Commercial Recreation other than Water Parks and Convenience Stores.
8. Uses permitted within the MV District that require the condition of being more than 200 feet from a RS or RM zoned district would not be permitted on the subject property. The RM-4 and RM-8 Districts are adjacent to the subject property. These uses include Liquor Stores, Night Clubs and Bars.

**Conclusions of Law:**

1. This application **meets the criteria** in LMO 16-2-103.C.a.iii.
2. The proposed zoning is appropriate for the land because the subject property is adjacent to a number of parcels zoned MV where a variety of uses are permitted and where development is intended for the land.
3. The subject property is close to community and public amenities with a paved road network supporting the residential and commercial densities proposed for the property, though the developer may be required to make improvements to the roads as part of the Development Plan Review process.
4. There are no known sensitive environmental features on the subject property that would prevent or create hardship for development.
5. Some of the uses permitted within the MV District would not apply to the subject property because the conditions for the uses are not met due to access, location or proximity to residential districts.

**Summary of Facts and Conclusions of Law**

*Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO 16-2-103.C.a.iv):*

**Findings of Fact:**

1. The subject property has the potential to provide more housing in the area.
2. Hilton Head Island has a need for more housing.
3. The applicant has stated the intention for future development on the subject property is for

- multifamily affordable housing.
4. Town Council has recognized and prioritized the need for more affordable housing on Hilton Head Island.
  5. Both proposed major subdivisions in the area are expected to provide 35-40 new single-family homes each in the \$280,000 to \$400,000 range, which is not a price range generally considered affordable. This does, however, speak to the increase in demand for housing on the island, specifically in this area.

**Conclusions of Law:**

1. This application **meets the criteria** in LMO 16-2-103.C.a.iv.
2. The proposed rezoning is meeting a demonstrated community need for more housing because the demand for housing on the island and in this area in particular has increased based on the number of residential developments being built now or under review.
3. The applicant has proposed to rezone the property in an effort to encourage affordable housing for the area, which is a demonstrated community need as prioritized by Town Council.
4. At this time there are no zoning districts or ordinances in place that require a developer to create affordable housing, thus the Town has no way to enforce affordable housing for residential development. There is no way to guarantee the subject property will in fact be developed with affordable housing.

**Summary of Facts and Conclusions of Law**

*Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):*

**Findings of Fact:**

1. The subject property has remained undeveloped and vacant as can be determined by aerial imagery dating to 1955.
2. Per LMO 16-3-103.B, the purpose of the MV District is to recognize the historical and cultural significance of this area of the island. A variety of uses are permitted in an effort to facilitate development in this area. The MV District zoned parcels have the unique ability to provide an environment conducive to water-oriented commercial and residential development.
3. While the subject property is not waterfront, it is within 500 feet of the waterfront. Development on the subject parcel could provide a connection to the water via development with adjacent properties on the water in the MV District, as well as provide connections to the nearby public beach access at Fish Haul Beach Park.
4. Rezoning the subject property would align with the purpose of the MV District zoning program as a district established to facilitate development in this area of the island.
5. This area of the island is intended by the Town to be developed with a variety of uses. The 2014 LMO rewrite focused zoning in this area to encourage future development as per the defined purpose of the MV District.

**Conclusions of Law:**

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.v.
2. The proposed rezoning is consistent with the overall zoning program as expressed in future plans for the Town because the purpose of the zoning districts established in this area is to promote development and a diverse density of residential uses ranging from four dwelling units up to 12 dwelling units across the districts incorporated into the area.

**Summary of Facts and Conclusions of Law**

*Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO 16-2-103.C.3.a.vi):*

**Finding of Fact:**

1. Both portions of the subject property are located across Mitchelville Road from a portion of the MV District.

**Conclusions of Law:**

1. This application **meets the criteria** in LMO 16-2-103.C.a.vi.
2. Due to the proximity of the MV District across Mitchelville Road, the proposed rezoning would not create an inappropriately isolated zoning district that is unrelated to adjacent and surrounding zoning districts.

**Summary of Facts and Conclusions of Law**

*Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):*

**Findings of Fact:**

1. The subject property has never been developed.
2. The subject property as proposed to be rezoned will allow a variety of uses that could encourage commerce or mixed-uses in the area, such as eating establishments and offices, or provide housing, including multifamily development at a density of 12 du per net acre.
3. The current zoning has two different districts assigned on two separate portions with slightly different density (four dwelling units versus eight dwelling units) and use allowances (varied Commercial Services versus Resort Accommodation), as well as different design standards in development height, as described in the Background portion of this report and provided in Attachment C. This presents a hardship for any development utilizing both portions of the property in terms of providing consistent density and decreases its economic viability.
4. Rezoning so that both portions of the subject property have the same density, use allowances and design standards will promote a higher and better use of the land for development, thus providing more economic viability for the land.
5. While rezoning the RM-4 portion of the subject property to RM-8 is an option to achieve congruency across the property and provide better economic viability. The applicant is proposing to rezone to the MV District to not only achieve congruent density across the subject property, but also across adjacent, higher density properties in the target MV District.

**Conclusions of Law:**

1. This application **meets the criteria** in LMO Section 16-2-103.C.3.a.vii.
2. The rezoning of the subject property would allow it to be put to a reasonably viable economic use because both portions of the subject property will be congruent and promote development in an area of the island intended to be developed.
3. Rezoning the RM-4 portion of the subject property to RM-8 is also an option to achieve consistency across the property and could also provide better economic viability, but does not achieve the economies of scale desired by the applicant for developing the subject property in concert with other properties in the MV District.

**Summary of Facts and Conclusions of Law**

*Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by*

*available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):*

**Findings of Fact:**

1. Fish Haul Road is a paved, Beaufort County-owned road bisecting the property. Mitchelville Road along the northeastern boundary is a paved road with right of way owned by the State. Improvements to Fish Haul Road at the developer's expense may be required during the Development Plan Review process.
2. Water service is available.
3. Sewer service is available if developers pay for a low pressure sewer line to be installed.
4. Electric service is available.
5. Hilton Head Island Fire and Rescue has the capability to immediately access the subject property.

**Conclusions of Law:**

1. This application **meets the criteria** in LMO 16-2-103.C.3.a.viii.
2. The proposed rezoning would result in development that can be served by all typically available, adequate and suitable public facilities for properties in the Town of Hilton Head Island.
3. The developer can improve the property by providing sewer and possibly upgrading the road to meet any existing deficiencies as required in the Town's Development Plan Review process.

**Summary of Facts and Conclusions of Law**

*Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):*

**Findings of Fact:**

1. In close proximity to the subject property on Mitchelville Road and Fish Haul Road there are currently two major subdivision projects at 140 Fish Haul Road and Ocean Breeze Cottages on Mitchelville Road and one minor subdivision project on Mitchelville Road under review with Town staff.
2. Town staff has reviewed a pre-application for a multifamily development for 15 to 20 homes nearby on Fish Haul Road.
3. The more recent development of single-family homes within the Beach City Place and Beach City Commons developments on Beach City Road near the subject property and the proposed subdivisions are construed as a changing condition.
4. The Hilton Head Island Public Service District is actively working with the Town to bring sewer infrastructure to the Mitchelville Road and Fish Haul Road area within the next 5 years.
5. The Town of Hilton Head Island is working with local property owners to pave the portion of Mitchelville Road near the subject property to provide safe and improved access.
6. The improved infrastructure for what has been a rural area is a changing condition that will encourage development.

**Conclusions of Law:**

1. This application **meets the criteria** in LMO Section 16-2-103.C.3.a.ix.
2. Rezoning the subject property will be appropriate due to the changing condition of increased development on nearby properties.
3. Rezoning the subject property will be appropriate due to the changing condition of proposed infrastructure improvements to the area.
4. The uses allowed by the proposed zoning district are appropriate due to these changing

conditions in the affected area.

**LMO Official Determination**

Staff determines that this application **is consistent with the Comprehensive Plan and does serve to carry out the purposes of the LMO** as based on the Findings of Fact and Conclusions of Law as determined by the LMO Official and enclosed herein.

Staff recommends that the Planning Commission recommend **APPROVAL** to Town Council of this application.

**Note: If the proposed amendment is approved by Town Council, such action shall be by ordinance to amend the Official Zoning Map. If it is denied by Town Council, such action shall be by resolution.**

**PREPARED BY:**

TL  
\_\_\_\_\_  
Taylor Ladd  
*Senior Planner*

July 24, 2018  
\_\_\_\_\_  
DATE

**REVIEWED BY:**

ND  
\_\_\_\_\_  
Nicole Dixon, CFM  
*Development Review Administrator*

July 24, 2018  
\_\_\_\_\_  
DATE

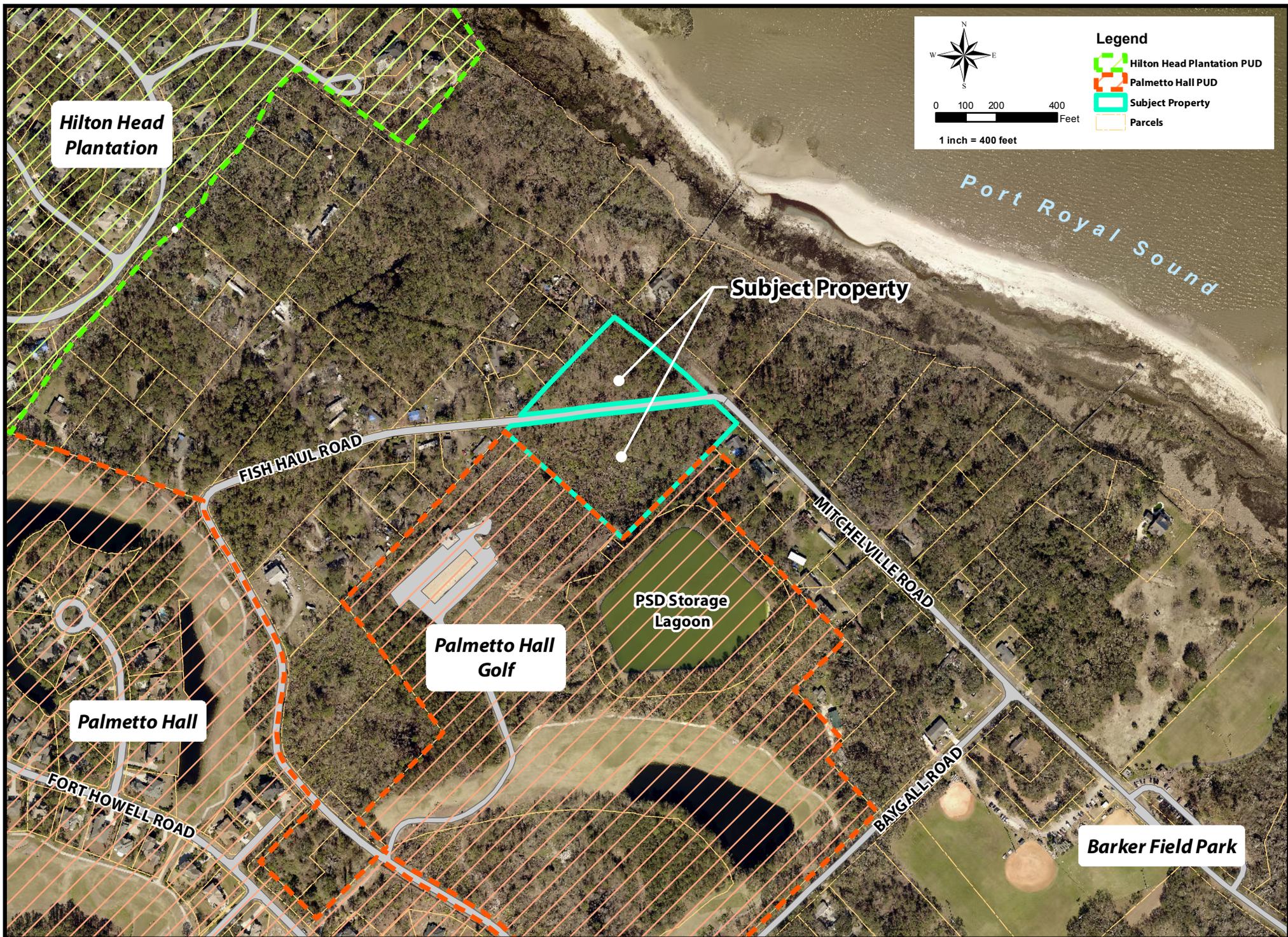
**REVIEWED BY:**

TL  
\_\_\_\_\_  
Teri Lewis, AICP  
*LMO Official*

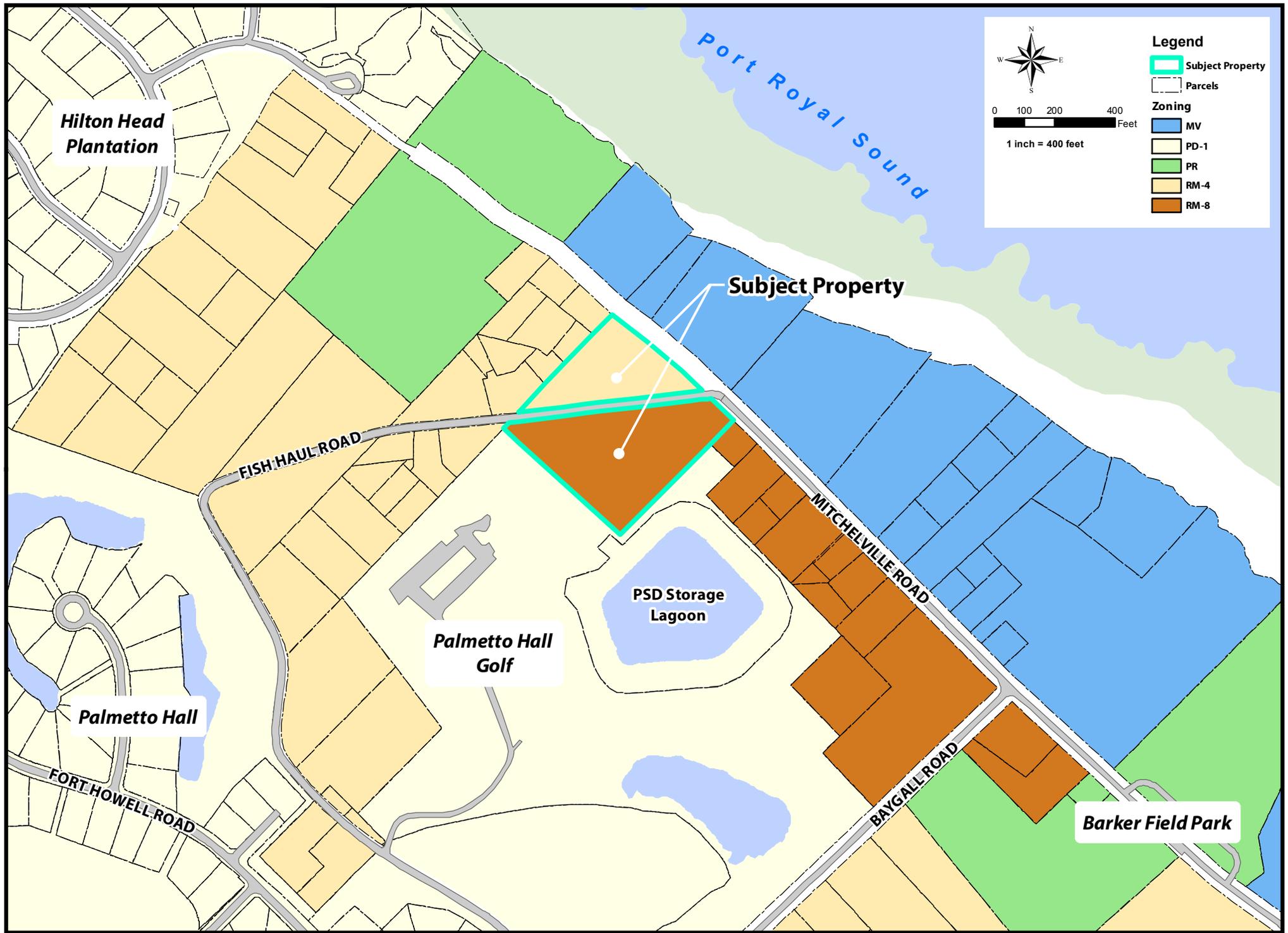
July 24, 2018  
\_\_\_\_\_  
DATE

**ATTACHMENTS:**

- A) Vicinity Map
- B) Zoning Map
- C) LMO Use Tables
- D) Subject Property Aerial Imagery
- E) Boundary Survey
- F) Applicant Narrative



**280 Fish Haul Road and Vicinity**  
**ZA-001467-2018**



280 Fish Haul Road Zoning  
ZA-001467-2018

# RM-4

## Low to Moderate Density Residential District

**1. Purpose**

The purpose of the Low to Moderate Density Residential (RM-4) District is to protect and preserve the character of these areas and *neighborhoods* at *densities* up to four *dwelling units* per *net acre* . This district is used to encourage a variety of residential opportunities, including *multifamily* residential units, *single-family* residences, and *group living* . The regulations of the district are intended to discourage *development* that would substantially interfere with, or be detrimental to, residential character.

**2. Allowable Principal Uses**

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
<b>Residential Uses</b>				
<i>Group Living</i>	P		1 per 3 rooms	
<i>Multifamily</i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i>Single-Family</i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<b>Public, Civic, Institutional, and Educational Uses</b>				
<i>Cemeteries</i>	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities	
<i>Community Service Uses</i>	P		1 per 400 GFA	
<i>Education Uses</i>	P		Colleges and High Schools	10 per classroom
			Elementary and Junior High/Middle Schools	4 per classroom
			<i>Other Education Uses</i>	See Sec. 16-5-107.D.2
<i>Government Uses</i>	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area

<b>Major Utilities</b>	SE		1 per 1,500 GFA	
<b>Minor Utilities</b>	P		n/a	
<b>Public Parks</b>	P		See Sec. 16-5-107.D.2	
<b>Religious Institutions</b>	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
<b>Telecommunication Towers, Monopole</b>	PC	Sec. 16-4-102.B.2.e	1	
<b>Resort Accommodations</b>				
<b>Bed and Breakfasts</b>	PC	Sec. 16-4-102.B.4.a	1 per guest room	
<b>Commercial Services</b>				
<b>Convenience Stores</b>	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
<b>Open Air Sales</b>	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area	
<b>Other Commercial Services</b>	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
<b>Other Uses</b>				
<b>Agriculture Uses</b>	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
<b>Boat Ramps , Docking Facilities , and Marinas</b>	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
<b>3. Development Form Standards</b>				
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>		
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres)	Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b>	35%	
<b>Bed and Breakfast</b>	10 rooms			
Nonresidential	6,000 GFA	Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b>	16%	
<b>MAX. BUILDING HEIGHT</b>				
All <b>Development</b>	35 ft <sup>1</sup>			
<b>USE AND OTHER DEVELOPMENT STANDARDS</b>				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural				

Resource Protection.

**TABLE NOTES:**

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = **dwelling units** ; sf = square feet; GFA = **gross floor area** in square feet; ft = feet; n/a = not applicable

1. May be increased by up to ten percent on demonstration to the **Official** that:

a. The increase is consistent with the character of **development** on surrounding **land** ;

b. **Development** resulting from the increase is consistent with the purpose and intent of the **building height** standards;

c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed **development** , or (2) results in improved site conditions for a **development** with **nonconforming site features** ;

d. The increase will not pose a danger to the public health or safety;

e. Any adverse impacts directly attributable to the increase are mitigated; and

f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

(Revised 4-18-2017 - [Ordinance 2017-05](#))

**Attachment C**

ZA-001467-2018

Town of Hilton Head Island Municipal Code

Title 16: Land Management Ordinance, Section 16-3-104.F

# RM-8

## Moderate Density Residential District

**1. Purpose**

The purpose of the Moderate Density Residential (RM-8) District is to allow the **development** of residential **uses** at **densities** up to eight **dwelling units** per **net acre** . The district allows a variety of residential **uses** , along with **uses** that support **neighborhoods** . The district is intended to discourage **development** that would substantially interfere with, or be detrimental to, moderate residential character.

**2. Allowable Principal Uses**

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
<b>Residential Uses</b>				
<b>Group Living</b>	P		1 per 3 rooms	
<b>Multifamily</b>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<b>Single-Family</b>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<b>Public, Civic, Institutional, and Educational Uses</b>				
<b>Community Service Uses</b>	P		1 per 400 GFA	
<b>Government Uses</b>	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
<b>Major Utilities</b>	SE		1 per 1,500 GFA	
<b>Minor Utilities</b>	P		n/a	
<b>Public Parks</b>	P		See Sec. 16-5-107.D.2	
<b>Religious Institutions</b>	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
<b>Telecommunication Towers, Monopole</b>	PC	Sec. 16-4-102.B.2.e	1	
<b>Commercial Services</b>				
<b>Other Commercial Services</b>	PC	Sec. 16-4-102.B.7.I	See Sec. 16-5-107.D.2	
<b>Other Uses</b>				
<b>Agriculture Uses</b>	P		Stables or Riding	1 per 5 stalls

			Academies	
			Other	n/a
<b>Boat Ramps , Docking Facilities , and Marinas</b>	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
<b>3. Development Form Standards</b>				
<b>MAX. DENSITY (PER NET ACRE )</b>		<b>LOT COVERAGE</b>		
Residential	8 du	Max. <b>Impervious Cover</b> for All <b>Development</b> Except <b>Single-Family</b>	35%	
Nonresidential	6,000 GFA			
<b>MAX. BUILDING HEIGHT</b>		Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b>	16%	
All <b>Development</b>	45 ft <sup>1</sup>			
<b>USE AND OTHER DEVELOPMENT STANDARDS</b>				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
<b>TABLE NOTES:</b>				
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <b>dwelling units</b> ; sf = square feet; GFA = <b>gross floor area</b> in square feet; ft = feet; n/a = not applicable				
1. May be increased by up to ten percent on demonstration to the <b>Official</b> that:				
a. The increase is consistent with the character of <b>development</b> on surrounding <b>land</b> ;				
b. <b>Development</b> resulting from the increase is consistent with the purpose and intent of the <b>building height</b> standards;				
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed <b>development</b> , or (2) results in improved site conditions for a <b>development</b> with <b>nonconforming site features</b> ;				
d. The increase will not pose a danger to the public health or safety;				
e. Any adverse impacts directly attributable to the increase are mitigated; and				
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.				

**Attachment C**

**ZA-001467-2018**

Town of Hilton Head Island Municipal Code

**Title 16: Land Management Ordinance, Section 16-3-105.I**

**MV**

**Mitchelville District**

**1. Purpose**

The purpose of the Mitchelville (MV) District is to recognize the historical and cultural significance of this area of the Island. A variety of *uses* are permitted in an effort to facilitate *development* in this area. These *sites* have a unique ability to provide an environment conducive to water-oriented commercial and residential *development*.

**2. Allowable Principal Uses**

		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
<b>Residential Uses</b>				
<i><b>Mixed-Use</b></i>	PC	Sec. 16-4-102.B.1.a	Residential	1.5 per du
			Nonresidential	1 per 500 GFA
<i><b>Multifamily</b></i>	P		1 bedroom	1.4 per du
			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
<i><b>Single-Family</b></i>	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
<b>Public, Civic, Institutional, and Educational Uses</b>				
<i><b>Cemeteries</b></i>	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities	
<i><b>Community Service Uses</b></i>	P		1 per 400 GFA	
<i><b>Major Utilities</b></i>	SE		1 per 1,500 GFA	
<i><b>Minor Utilities</b></i>	P		n/a	
<i><b>Public Parks</b></i>	P		See Sec. 16-5-107.D.2	
<i><b>Religious Institutions</b></i>	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or	PC	Sec. 16-4-102.B.2.e	n/a	

Building Mounted				
<b>Telecommunication Towers, Monopole</b>	PC	Sec. 16-4-102.B.2.e	1	
<b>Resort Accommodations</b>				
<b>Bed and Breakfasts</b>	PC	Sec. 16-4-102.B.4.a	1 per guest room	
<b>Hotels</b>	P		1 per guest room	
<b>Interval Occupancy</b>	P		1 bedroom	1 per du
			2 bedrooms	1.25 per du
			3 or more bedrooms	1.5 per du
<b>Commercial Recreation</b>				
<b>Indoor Commercial Recreation Uses</b>	P		1 per 3 <b>persons</b> + 1 per 200 GFA of office or similarly used area	
<b>Outdoor Commercial Recreation Uses</b> Other than <b>Water Parks</b>	PC	Sec. 16-4-102.B.5.b	Golf Courses, Miniature Golf Courses, or Driving Ranges	1 per tee
			Stadiums	1 per 4 spectator seats
			Other	1 per 3 <b>persons</b> + 1 per 200 GFA of office or similarly used area
<b>Water Parks</b>	P		See Sec. 16-5-107.D.2	
<b>Office Uses</b>				
<b>Contractor's Office</b>	PC	Sec. 16-4-102.B.6.a	1 per 350 GFA of office/administrative area	
<b>Other Office Uses</b>	P		1 per 350 GFA	
<b>Commercial Services</b>				
<b>Bicycle Shops</b>	PC	Sec. 16-4-102.B.7.c	1 per 200 GFA	
<b>Convenience Stores</b>	PC	Sec. 16-4-102.B.7.d	1 per 200 GFA	
<b>Eating Establishments</b>	PC	Sec. 16-4-102.B.7.e	1 per 100 sf of <b>gross floor area</b> and outdoor eating area	
<b>Liquor Stores</b>	SE	Sec. 16-4-102.B.7.g	1 per 200 GFA	
<b>Nightclubs or Bars</b>	PC	Sec. 16-4-102.B.7.h	1 per 70 GFA	

<b>Open Air Sales</b>	PC	Sec. 16-4-102.B.7.i	1 per 200 sf of sales/display area	
<b>Other Commercial Services</b>	P		See Sec. 16-5-107.D.2	
<b>Vehicle Sales and Services</b>				
<b>Auto Rentals</b>	PC	Sec. 16-4-102.B.8.a	See Sec. 16-5-107.D.2	
<b>Watercraft Sales, Rentals, or Services</b>	PC	Sec. 16-4-102.B.8.e	1 per 200 GFA	
<b>Industrial Uses</b>				
<b>Seafood Processing</b>	PC	Sec, 16-4-102.B.9.b	1 per 1,300 GFA of indoor storage or manufacturing area + 1 per 350 GFA of office or administrative area	
<b>Other Uses</b>				
<b>Agriculture Uses</b>	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
<b>Boat Ramps , Docking Facilities , and Marinas</b>	P		1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
<b>3. Development Form Standards</b>				
<b>MAX. DENSITY (PER NET ACRE )</b>			<b>LOT COVERAGE</b>	
Residential	12 du		Max. <b>Impervious Cover</b>	50%
<b>Bed and Breakfasts</b>	10 rooms			
<b>Hotel</b>	35 rooms		Min. <b>Open Space</b> for Major Residential <b>Subdivisions</b>	16%
<b>Interval Occupancy</b>	12 du			
Nonresidential	8,000 GFA			
<b>MAX. BUILDING HEIGHT</b>				
<b>All Development</b>	75 ft			

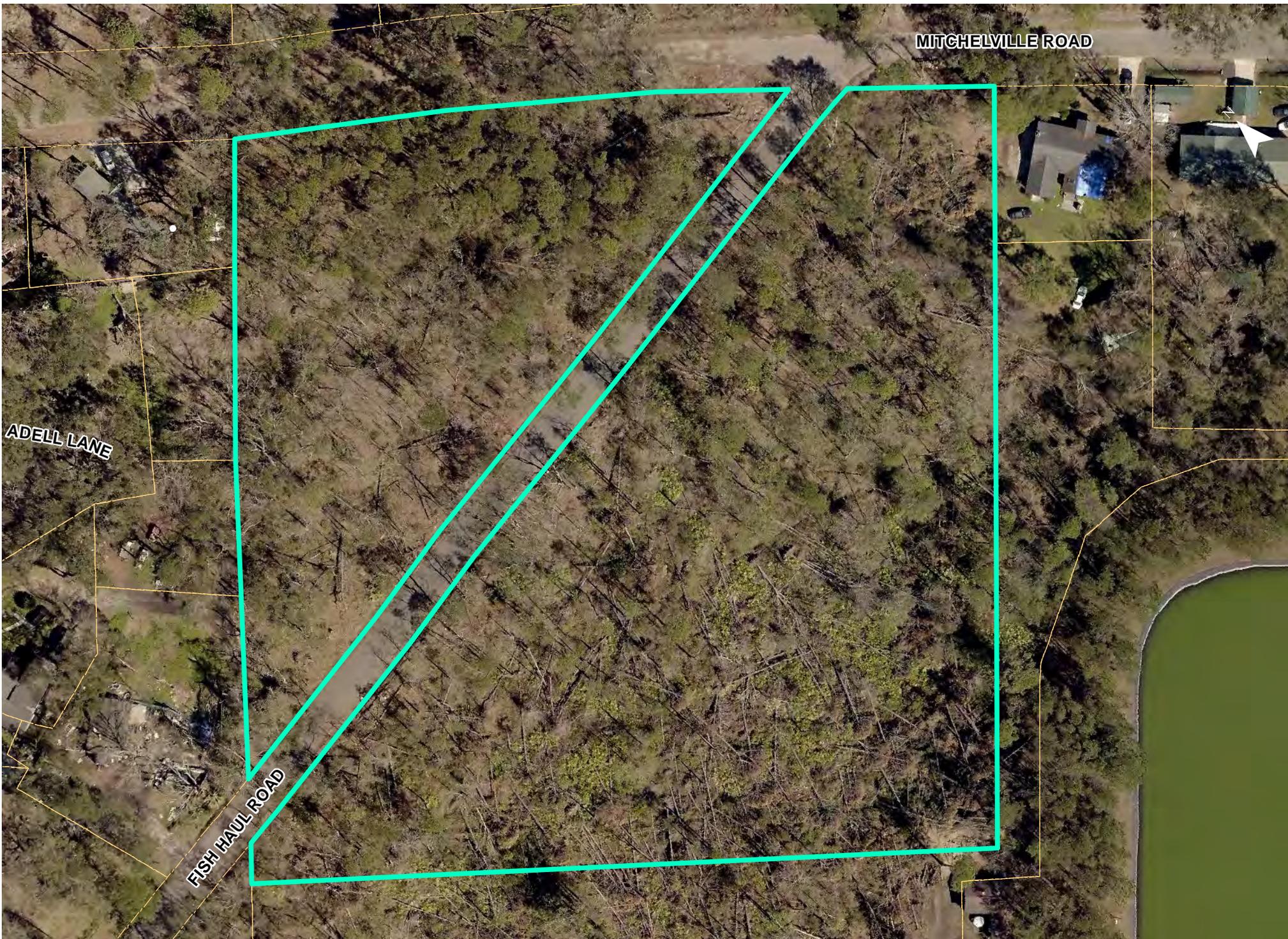
## USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

### TABLE NOTES:

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = **dwelling units**; sf = square feet; GFA = **gross floor area** in square feet; ft = feet; n/a = not applicable

*(Revised 4-18-2017 - [Ordinance 2017-05](#); revised 12-5-2017 - [Ordinance 2017-19](#))*



ZA-001467-2018

280 Fish Haul Road 2017 Aerial View

**Attachment D**



**ZA-001467-2018**

**280 Fish Haul Road 2017 Aerial View North**

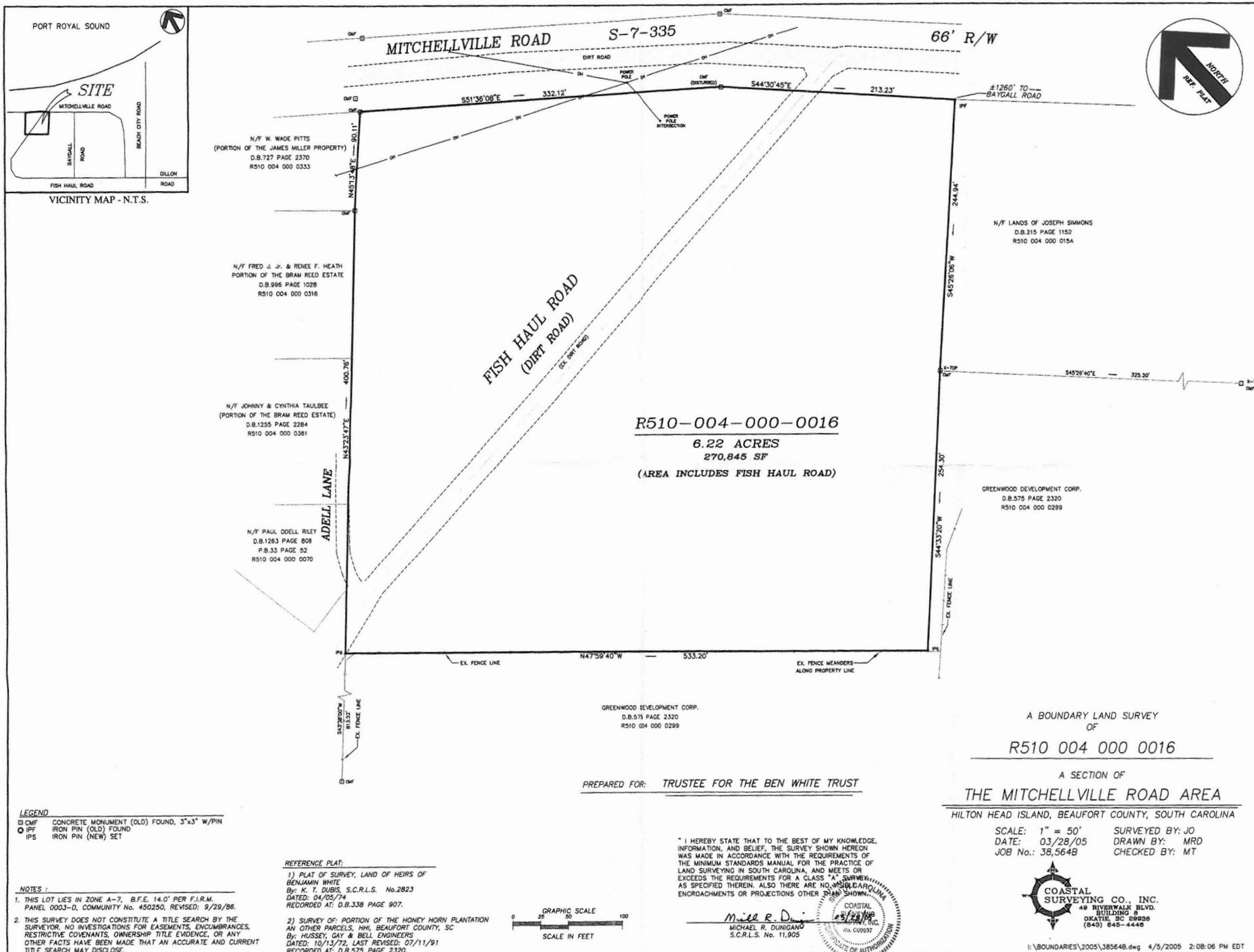
**Attachment D**



**ZA-001467-2018**

**280 Fish Haul Road 2017 Aerial View West**

Attachment E

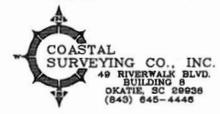


**R510-004-000-0016**  
**6.22 ACRES**  
**270,845 SF**  
 (AREA INCLUDES FISH HAUL ROAD)

A BOUNDARY LAND SURVEY  
 OF  
**R510 004 000 0016**  
 A SECTION OF  
**THE MITCHELLVILLE ROAD AREA**  
 HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 50'  
 DATE: 03/28/05  
 JOB No.: 38,564B

SURVEYED BY: JO  
 DRAWN BY: MRD  
 CHECKED BY: MT



**LEGEND**  
 □ C/MF CONCRETE MONUMENT (OLD) FOUND, 3"x3" W/PIN  
 ○ I/PF IRON PIN (OLD) FOUND  
 ○ I/PS IRON PIN (NEW) SET

**NOTES:**  
 1. THIS LOT LIES IN ZONE A-7, B.F.E. 14.0' PER F.I.R.M. PANEL 0003-D, COMMUNITY No. 450250, REVISED: 9/29/86.  
 2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. NO INVESTIGATIONS FOR EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS HAVE BEEN MADE THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

**REFERENCE PLAT:**  
 1) PLAT OF SURVEY, LAND OF HEIRS OF BENJAMIN WHITE  
 By: K. T. DUBIS, S.C.R.L.S. No. 2823  
 DATED: 04/05/74  
 RECORDED AT: D.B.338 PAGE 907.  
 2) SURVEY OF PORTION OF THE HONEY HORN PLANTATION AN OTHER PARCELS, NHI, BEAUFORT COUNTY, SC  
 By: HUSSEY, GAY & BELL ENGINEERS  
 DATED: 10/13/72, LAST REVISED: 07/11/91  
 RECORDED AT: D.B.575 PAGE 2320.



"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 UNDISCLOSED ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN."

*Michael R. Dunigano*  
 MICHAEL R. DUNIGANO  
 S.C.R.L.S. No. 11,905

**Attachment F**

**ZA-001467-2018**

Zoning Map Amendment Application  
from Thomas C. Barnwell, Jr. and Perry White  
Trustees for the Ben White Trust  
June 15, 2018

This zoning amendment request is being made because the Ben White Trust has entered into a contract to sell the 6.22 acre tract to the Web Investment Group, LLC and a density of 12 units per acre is one of the conditions of the sale.

The buyer/developer is planning a multi-family housing project on this parcel. The planned development is consistent with the land use of the neighboring properties.

Fish Haul Road runs through the middle of this property and there is access to water and sewer.

## **Attachment F**

**ZA-001467-2018**

For a Zoning Map Amendment application, please submit a response for each of the following criteria in regards to your request for consideration of rezoning the property:

*Criteria 1: Whether and the extent to which the proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103.C.3.a.i):* The proposed zoning is in accordance with the Comprehensive Plan (LMO Section 16-2-103.C.3.a.i.) because the surrounding properties, properties across the street are already zoned Mitchelville District RM 12. The proposed zoning amendment requested is Mitchelville District RM 12. Rezoning would maximize owner's/developer's highest and best use of the land.

*Criteria 2: Whether and the extent to which the proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity (LMO Section 16-2-103.C.3.a.ii):* The proposed zoning would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity because the proposed zoning will be the zoning of other property in the immediate vicinity.

*Criteria 3: Whether and the extent to which the proposed zoning is appropriate for the land (LMO Section 16-2-103.C.2.a.iii):* The proposed zoning is appropriate for the land just as it was surrounding properties, properties across the street, matching their zoning.

*Criteria 4: Whether and the extent to which the proposed zoning addresses a demonstrated community need (LMO Section 16-2-103.C.3.a.iv):* The proposed zoning to match the zoning of surrounding properties in the immediate vicinity would better allow the owner to build affordable housing which addresses a demonstrated community need.

*Criteria 5: Whether and the extent to which the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town (LMO 16-2-103.C.3.a.v):* The proposed zoning matches adjacent and surrounding properties in the immediate vicinity which were rezoned to the proposed zoning. Thus the proposed zoning is consistent with the overall zoning program as expressed in future plans for the Town just as the surrounding properties' zoning is.

*Criteria 6: Whether and the extent to which the proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts (LMO Section 16-2-103.C.3.a.vi):* The proposed zoning would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts because the proposed zoning would now match the adjacent and surrounding properties.

## Attachment F

ZA-001467-2018

*Criteria 7: Whether and the extent to which the proposed zoning would allow the subject property to be put to a reasonably viable economic use (LMO Section 16-2-103.C.3.a.vii):*

The investors/developers are presently under pending contract to purchase 280 Fish Haul Rd, as well as the waterfront parcels directly across the street, Parcels 9A, 11, and are in the process of securing ground lease on parcel 10 Mitchelville Rd. All the above aforementioned parcels, and the other parcels directly across from, adjacent to 280 Fish Haul Rd are zoned Mitchelville District Residential Medium Density 12 units/acre. The Developers' Preliminary Conceptual Site Development Plan is inclusive of all of the above aforementioned parcels for one larger multi-family unit development. Prior to contract ratification on 280 Fish Haul Road, Investors/Developers were given disclosures of the present zoning density. In a subsequent meeting between Town Manager Steve Riley and the Developers/Purchasers meeting with Zoning & Planning Manager Teri Lewis, a recommendation was determined and made that in consideration of and to maximize the most viable, highest and best use of this Land, rezoning this parcel to the same as the above aforementioned parcels, Mitchelville District RM12, would maximize the land's value and economic viability.

The Investors/Developers have underwritten the preliminary conceptual site development plan using 12 units/acre. They did so with the provision in mind to provide quality, more available long term rental units and potentially some affordable median price-point privately owned residential housing inventory to a broader range of local citizens and our valuable local work force in our community.

With the above said, it should be taken into serious account the economies of scale. 12 units per acre is more economically viable than 8 units per acre. The proposed zoning would allow construction of more, much needed available housing inventory to offset the present housing inventory deficit. The proposed zoning to Mitchelville District RM12 would increase the subject property's value, thus higher tax assessment on the property, bringing more revenue into local economy. More revenue, more families living and spending their money on the island creates and sustains a more robust local economy.

Land's viability can be best determined when improvements can be made upon it which allow for, maximize it's highest and best use, and gives it tangible value.

*Criteria 8: Whether and the extent to which the proposed zoning would result in development that can be served by available, adequate, and suitable public facilities (e.g. streets, potable water, sewerage, stormwater management) (LMO Section 16-2-103.C.3.a.viii):* The proposed zoning would result in development that can be served by the available, adequate, and suitable public facilities (streets, potable water, sewerage, electric, and stormwater management)

*Criteria 9: Is appropriate due to any changed or changing conditions in the affected area (LMO Section 16-2-103.C.3.a.ix):* The proposed zoning is appropriate so that the subject property can be zoned just like adjacent, surrounding properties in the immediate vicinity.

# MEMORANDUM

**TO:** Town Council  
**FROM:** Staff Attorney

**Via:** Stephen G. Riley, ICMA-CM, Town Manager  
Josh Gruber, Assistant Town Manager

**RE:** Repeal of Municipal Code Section 6-1-111-318, Municipal Court

**DATE:** September 4, 2018

---

**Recommendation:** Staff recommends that the Municipal Court be dissolved and that Municipal Code Section 6-1-111 through 318 be repealed.

**Summary:** Our Municipal Judge chose not to renew her contract with Town Council, and to return to private practice. As a result, Council may choose to identify through a Request for Qualifications (RFQ) a South Carolina Licensed Attorney who has previous trial experience to become a new municipal judge. Beaufort County Magistrates are providing coverage in the meantime. Or the Council may elect to dissolve the municipal court.

Currently, our court consists of one full-time position and one part-time position. We had one full-time position recently vacated and left on hold pending the outcome of the court's future. Therefore, under normal conditions, we have two full-time and one part-time staff positions (not including the judge).

In the event the court is dissolved, the Council would enter into an Intergovernmental Agreement with Beaufort County Council for the Beaufort County Magistrate's Office to assume all cases, of whatever type, at its Bluffton location. Transferring court data and court wind-down will likely take several months. If Council determines to dissolve the court, all tickets would immediately need to be written by all agencies to the Beaufort County Magistrate's Court in Bluffton, giving an approximate 2-3 month lead time. The Town would negotiate the dissemination of any fines or forfeitures paid pursuant to a municipal citation with Beaufort County as part of the Intergovernmental Agreement.

**Background:**

The Municipal Court was created by Ordinance 84-11 on May 21, 1984. Municipal cases were initially heard by a County Magistrate via an Intergovernmental Agreement, until 1992. At that time the Town Council hired a Municipal Judge to hear municipal cases. Traffic and criminal citations issued by Beaufort County Sheriff's Office have steadily declined since 2007, decreasing by approximately 75 percent. This has caused the municipal court to operate at a significant deficit for the past several years. The Town took steps to reduce court hours and staff, but the court continues to operate at a significant deficit.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**PROPOSED ORDINANCE NO.: 2018-15**

**ORDINANCE NO.: 2018-**

**AN ORDINANCE TO REPEAL SECTIONS 6-1-111 THROUGH 318 OF THE MUNICIPAL CODE OF THE TOWN OF HILTON HEAD ISLAND; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Hilton Head Island, South Carolina previously adopted Ordinance 84-11, Chapter 1 of Title 6 entitled “Municipal Court” on May 21, 1984; and

**WHEREAS**, the Town Council finds that it would be more expeditious for the County Magistrate Courts to hear and adjudicate those summary court level matters arising in the incorporated areas of the Town of Hilton Head Island; and

**WHEREAS**, the Town Council now desires to close the municipal court and to repeal the ordinance creating the municipal court system.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA; AND IT IS HEREBY ORDERED ORDAINED BY AND UNDER THE AUTHORITY OF THE SAID TOWN COUNCIL, AS FOLLOWS:**

**NOTE: Underlined and bold-face typed portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.**

That Sections 6-1-111 through 318 of Chapter 1 of Title 6 of the Municipal Code of the Town of Hilton Head Island, South Carolina, is hereby repealed.

**~~Chapter 1. Municipal Court~~**

**~~ARTICLE 1. ESTABLISHMENT~~**

**~~Sec. 6-1-111. Creation.~~**

~~There is established a municipal court for the Town of Hilton Head Island, which shall be part of the unified judicial system of the State of South Carolina, for the trial and determination of all cases arising within its jurisdiction.~~

~~(Ord. No. 84-11, 5-21-84)~~

**~~Sec. 6-1-112. Jurisdiction.~~**

~~The municipal court shall have jurisdiction to try and determine all cases arising under the ordinances of the town now in force or which may be enacted after the adoption of this Code. The municipal court shall also have all such powers, duties and jurisdiction in criminal cases made under the laws of the state and conferred by law upon magistrates. The municipal court~~

~~shall have the power to punish for contempt of court by imposition of sentences up to the limits imposed by law on municipal courts. The municipal court shall have no power to try and determine cases involving civil matters; provided, however, that nothing contained within this chapter shall preclude the prosecution of municipal cases in any magistrate's court of Beaufort County at the direction of the town council.~~

~~(Ord. No. 84-11, 5-21-84)~~

## ~~ARTICLE 2. JUDICIARY AND CLERK~~

### ~~Sec. 6-1-211. Municipal judge.~~

~~The municipal court of the town shall be presided over by one full-time municipal judge who shall be appointed by and serve at the pleasure of the council. The municipal judge shall serve for a term set by the council not to exceed three (3) years or until his successor is appointed and qualified. The municipal judge must be an individual who has been admitted to practice law in the highest court of this state and has previously had trial experience. Council shall determine from time to time the compensation of the judge, provide facilities for conducting trials and hearings and provide sufficient clerical and nonjudicial support personnel to assist the municipal judge. Before entering upon the discharge of his duties of office, each municipal judge shall take and subscribe the oath of office prescribed by Article VI, Section 5, of the South Carolina Constitution. Neither the municipal judge, nor any individual, who shall directly or indirectly be in practice in any form with the judge, shall practice law in the municipal court for the town.~~

~~(Ord. No. 84-11, 5-21-84; Ord. No. 92-16, § 1, 4-20-92; Ord. No. 01-09, § 1, 6-5-01)~~

### ~~Sec. 6-1-212. Reserved.~~

**Editor's note** — Ord. No. 01-09, § 2, adopted June 5, 2001, repealed section 6-1-212 in its entirety. Former section 6-1-212 pertained to the ministerial recorder and derived from Ord. No. 84-11, adopted May 21, 1984.

### ~~Sec. 6-1-213. Temporary absence and vacancy in office of municipal judge.~~

- ~~(a) — In the event of the temporary absence, sickness, or disability of the municipal judge, the mayor shall have the option of 1) designating the use of the existing county magistrate's court for Hilton Head Island, or 2) designating a practicing attorney or some other person who has received training or experience in municipal court procedure or a municipal judge of another municipality to hold and preside over the municipal court of the town. Before entering upon the discharge of the duties of acting municipal judge, the person shall take the oath prescribed by Article VI, Section 5, of the South Carolina Constitution. The acting municipal judge shall be compensated at the same rate as the municipal judge.~~
- ~~(b) — In the event of a vacancy in the office of municipal judge, the council shall appoint a successor in the same manner as the original appointment for the unexpired term.~~

~~(Ord. No. 84-11, 5-21-84)~~

### ~~Sec. 6-1-214. Clerk of municipal court.~~

~~Council may appoint and fix the compensation for a clerk of municipal court who shall hold office at the pleasure of council and shall be subject to the supervision of the municipal judge. The clerk of municipal court shall keep such records and make such reports as may be determined by the state court administrator and the council. Nothing in this section shall be construed as prohibiting the council from appointing the municipal clerk, ministerial recorder or other municipal employee to serve as clerk of municipal court.~~

~~(Ord. No. 84-11, 5-21-84)~~

### ~~ARTICLE 3. COURT OPERATION~~

~~Sec. 6-1-311. Fines, alternative sentencing, fees and penalties.~~

- ~~(a) Whenever the municipal judge finds a party guilty of violating a municipal ordinance or a state law within the jurisdiction of the municipal court or the party pleads nolo contendere, he may impose a fine or imprisonment, or both, as provided by statute, or as provided for in section 1-5-10 of this Code.~~
- ~~(b) The municipal judge in his discretion may suspend sentences imposed by him upon such terms and conditions as he deems proper including, without limitation, restitution or public service employment.~~
- ~~(c) All fines and penalties collected by the municipal court shall be forthwith turned over on a daily basis by the clerk of municipal court to the director of finance for deposit to the general fund of the town.~~
- ~~(d) Any assessments or fees required by law to be paid in connection with participation in any form of alternative sentencing shall be collected and disbursed as required by law.~~

~~(Ord. No. 84-11, 5-21-84; Ord. No. 93-24, § 2, 9-20-93; Ord. No. 01-09, § 3, 6-5-01; Ord. No. 02-21, § 1, 6-18-02)~~

~~**Cross reference**—General penalty, § 1-5-10.~~

~~Sec. 6-1-312. Trial.~~

- ~~(a) The municipal judge shall speedily try all persons charged with violations of municipal ordinances or the laws of the state within the jurisdiction of the municipal court in a summary manner without a jury unless jury trial is demanded by the accused.~~
- ~~(b) Any person to be tried in the municipal court may, prior to trial, demand a jury trial. The jury shall be composed of six (6) persons drawn from the qualified electors of the town in the manner prescribed by law. The right to a jury trial shall be deemed to have been waived unless demand is made by the person prior to trial.~~
- ~~(c) The municipal judge shall have the same power as a magistrate to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-313. Jury commissioners and duties.~~

~~The council shall appoint not less than three (3) nor more than five (5) persons to serve as jury commissioners for the municipal court; provided, however, that the council may act as jury commissioners in lieu of appointing such commissioners. The jury commissioners shall, within the first thirty (30) days of each year, prepare a box to be known as the jury box. Such box shall contain two (2) compartments, designated as "A" and "B", respectively.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-314. — Composition of jury list.~~

~~The jury list of the town shall be composed of all the names on the official list of qualified electors of the town furnished by the state election commission each year or copied from the official voter registration list of the town. Compartment "A" of the jury box shall contain a separate ballot or number for each name on the jury list. After compartment "A" has been filled with names, the jury box shall be locked and kept in the custody of the municipal court.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-315. — Selection of jury; disposition of names.~~

- ~~(a) — In all cases in the municipal court in which a jury is required, a jury list shall be selected in the following manner: A person appointed by the municipal judge who is not connected with the trial of the case for either party shall draw out of compartment "A" of the jury box thirty (30) names and the list of names so drawn shall be delivered to each party or to the attorney for each party.~~
- ~~(b) — The names so drawn shall be placed in a box or hat and the individual names randomly drawn out one at a time until six (6) jurors and four (4) alternates are selected. If for any reason it is impossible to select sufficient jurors and alternates from the names drawn, names shall be randomly drawn from compartment "A" until sufficient jurors and alternates are selected.~~
- ~~(c) — Each party shall have a maximum of six (6) preemptory challenges as the primary jurors and four (4) preemptory challenges as to alternate jurors and such other challenges for cause as the municipal judge may permit. The parties shall exercise preemptory challenges in advance of the trial date, and only persons selected to serve and alternates shall be summoned for the trial.~~
- ~~(d) — Upon the adjournment of the municipal court, the clerk of municipal court shall take the names or numbers of the jurors who appeared and shall return these ballots or numbers to compartment "B" of the jury box, and the ballots or numbers corresponding to the names of the jurors who were unable to appear or who were excused by the municipal judge shall be returned to compartment "A" of the jury box. When all names or numbers in compartment "A" have been exhausted, the names or numbers from compartment "B" shall be returned to compartment "A" and thereafter juries shall continue to be drawn therefrom.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-316.— Compensation of juror and failure of juror to appear.~~

~~(a) — Jurors serving in the municipal court shall receive a per diem of ten dollars (\$10.00).~~

~~(b) — Any juror who, being duly summoned, shall neglect or refuse to appear in obedience to any summons issued by the municipal court and shall not within forty-eight (48) hours render to the municipal judge a sufficient reason for his delinquency, may be punished for contempt.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-317.— Recording municipal court trials.~~

~~Any party shall have the right to have the testimony given at a jury trial in the municipal court taken stenographically or mechanically by a reporter; provided, that nothing in this section shall operate to prevent a party from mechanically recording the proceedings himself. The requesting party shall pay the charges of the reporter for taking and transcribing if the testimony is recorded by a municipal court reporter.~~

~~(Ord. No. 84-11, 5-21-84)~~

~~Sec. 6-1-318.— Appeals.~~

~~(a) — Any party shall have the right to appeal from the sentence or judgment of the municipal court to the court of general sessions of county. Notice of intention to appeal, setting forth the grounds for appeal, shall be given in writing and served on the municipal judge or the clerk of the municipal court within ten (10) days after sentence is passed or judgment rendered, or the appeal shall be deemed waived. The party appealing shall enter into a bond, payable to the town, to appear and defend the appeal at the next term of the court of general sessions or shall pay the fine assessed.~~

~~(b) — In the event of an appeal, the municipal judge shall make a return to the court of general sessions, and the appeal shall be heard by the presiding judge upon the return. The return of the municipal judge shall consist of a written report of the charges preferred, the testimony, the proceedings, and the sentence or judgment. When the testimony has been taken by a reporter, the return shall include the reporter's transcript of the testimony. The return shall be filed with the clerk of court of general sessions of the county and the cause shall be docketed for trial in the same manner as is now provided for appeals from magistrate's court. There shall be no trial de novo on any appeal from the municipal court.~~

~~(Ord. No. 84-11, 5-21-84)~~

**Section 2. Severability.** If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**Section 3. Effective Date.** Ordinance shall become effective upon adoption by the Town Council of the Town of Hilton Head Island, South Carolina.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018**

**By: \_\_\_\_\_  
David Bennett, Mayor**

**ATTEST:**

**By: \_\_\_\_\_  
Krista Wiedmeyer, Town Clerk**

**First Reading: \_\_\_\_\_**

**Second Reading: \_\_\_\_\_**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Gregory M. Alford, Town Attorney**

**Introduced by Council Member: \_\_\_\_\_**



## **MEMORANDUM**

**TO:** Town Council

**FROM:** John Troyer, CPA, Director of Finance

**VIA:** Stephen G. Riley, ICMA-CM, Town Manager

**DATE:** September 5, 2018

**RE:** **First Reading of Proposed Ordinance No. 2018-16**

---

### **Recommendation:**

Staff recommends Town Council approve the first reading of Proposed Ordinance No. 2018-16 which amends fiscal year 2019 budgets for amounts rolled forward from fiscal year 2018 for the General and Stormwater Funds.

### **Summary:**

This budget ordinance amends these two funds by rolling forward budgeted funds from the prior year that were not encumbered by the end of the fiscal year. A roll-forward item is a budget for a General Fund program / technology project or a Stormwater project that for various reasons was not started or completed at June 30, 2018. Staff requested these funds to be rolled to fiscal year 2019 to complete projects and plans. Any General Fund budget remaining unused as of June 30, 2018 which is not specified in this proposed ordinance will not roll forward to fiscal year 2019 and will revert to the fund balance.

**AN ORDINANCE OF THE TOWN OF HILTON HEAD ISLAND**

**ORDINANCE NO.**

**PROPOSED ORDINANCE NO. 2018-16**

**AN ORDINANCE TO AMEND THE BUDGET FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING JUNE 30, 2019; TO PROVIDE FOR THE BUDGETED APPROPRIATIONS OF PRIOR YEAR BUDGET ROLL-FORWARDS AND THE EXPENDITURES OF CERTAIN FUNDS; TO ALLOCATE THE SOURCES OF REVENUE FOR THE SAID FUNDS; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, Section 5-7-260 of the Code of Laws of South Carolina requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

**WHEREAS**, the Town Council did adopt the budget on June 19, 2018, and

**WHEREAS**, pursuant to the budget amendment policy as stated in the Town's annual budget document, the Town Council is desirous of amending the budget so as to provide for the budgeted appropriations of prior year budget **roll-forwards** and certain other commitments from the Fund Balance and other revenue sources.

**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 Amendment. The adopted 2019 fiscal year budget is amended to make the following changes as additions to the funds from prior years and to the projected revenue and expenditure accounts as detailed in Attachment A.

Section 2 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 3 Effective Date. This Ordinance shall be effective upon its enactment by the Town Council of the Town of Hilton Head Island.

**ORDINANCE NO.**

**PROPOSED ORDINANCE NO. 2018-16**

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF  
HILTON HEAD ISLAND ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

\_\_\_\_\_  
David Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Krista Wiedmeyer  
Town Clerk

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory M. Alford, Town Attorney

Introduced by Council Member:

\_\_\_\_\_

ATTACHMENT A

Budget Roll Forwards: General Fund

<u>Account Description</u>	<u>Amount</u>
<b>General Fund Revenues:</b>	
Funds from Prior Years	1,125,154
<b>Total General Fund Revenue Budget Roll Forward</b>	<u><u>1,125,154</u></u>
<b>General Fund Expenditures:</b>	
<b>Townwide Grants</b>	
Coastal Discovery Museum-MPP Executive Director	15,174
Coastal Discovery Museum-Capital	<u>58,462</u>
	<b>73,636</b>
<b>Townwide Capital</b>	
Surveillance Cameras / WIFI Expansion	<b>76,000</b>
<b>Town Council Operating</b>	
Town Council Initiatives	<b>500,000</b>
<b>Administrative Services</b>	
Information Technology Operating/Capital	<b>124,823</b>
<b>Public Projects and Facilities</b>	
Engineering Operating	3,000
Facilities Management Operating	<u>208,595</u>
	<b>211,595</b>
<b>Community Development</b>	
DRZ Operating	86,900
Comprehensive Planning Operating	<u>52,200</u>
	<b>139,100</b>
<b>Total General Fund Expenditure Budget Roll Forward</b>	<u><u>1,125,154</u></u>

Budget Roll Forwards: Stormwater Fund

<u>Account Description</u>	<u>Amount</u>
<b>Stormwater Fund Revenues:</b>	
Stormwater Utility Fees from Prior Years	1,083,205
<b>Total Stormwater Fund Revenue Budget Roll Forward</b>	<u><u>1,083,205</u></u>
<b>Stormwater Fund Expenditures:</b>	
PUD Projects	791,359
Non-PUD Projects	291,846
<b>Total Stormwater Fund Expenditure Budget Roll Forward</b>	<u><u>1,083,205</u></u>

**ORDINANCE NO.**

**PROPOSED ORDINANCE NO. 2018-16**

**ATTACHMENT A, CONTINUED**

The effects of this budget amendment for fiscal year 2019 are presented below.

	General Fund		Cap Proj Fund		Debt Service		Total Governmental Funds	
	Expenditures	Revenues & Transfers In	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In & Other Sources	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In	Expenditures, Transfers Out & Other Uses	Revenues & Transfers In & Other Sources
Current Balance	\$ 40,257,829	\$(40,257,829)	\$ 9,876,000	\$ (9,876,000)	\$ 24,200,000	\$(24,200,000)	\$ 74,333,829	\$ (74,333,829)
Amendment	1,125,154	(1,125,154)	-	-	-	-	1,125,154	(1,125,154)
Revised Balance	\$ 41,382,983	\$(41,382,983)	\$ 9,876,000	\$ (9,876,000)	\$ 24,200,000	\$(24,200,000)	\$ 75,458,983	\$ (75,458,983)

Enterprise Fund  
Stormwater Fund

	Expenditures & Transfers Out	Revenues & Transfers In
Current Balance	\$ 5,311,000	\$(5,311,000)
Amendment	1,083,205	(1,083,205)
Revised Balance	\$ 6,394,205	\$(6,394,205)



**COASTAL  
DISCOVERY  
MUSEUM**

Experience The  
Lowcountry Up Close

MAILING ADDRESS:  
PO Box 23497  
Hilton Head Island  
SC 29925-3497

LOCATION  
70 Honey Horn Drive  
Hilton Head Island  
SC 29926

(843) 689-6767  
(843) 689-3035 fax  
coastaldiscovery.org

July 13, 2018

Ms. Erica Madhere

Town of Hilton Head Island  
One Town Center Circle  
Hilton Head Island, SC 29928

RE: Encumbering Mitchelville Executive Director grant 2017-2018

Dear Erica:

This past fiscal year there was money set aside in the Town budget to provide for a new Mitchelville Executive Director in the amount of \$100,000. We would like to encumber these funds for FY2019. We would like request the balance that was unused which was ~~\$94,275.97~~ \$15,174 FY18 REMAINING BALANCE

Thank you,

Jennifer Stupica  
Director of Finance and Administration  
Coastal Discovery Museum



**COASTAL  
DISCOVERY  
MUSEUM**

Experience The  
Lowcountry July 13, 2018

MAILING ADDRESS:

PO Box 23497  
Hilton Head Island  
SC 29926-3497

Phone: (843) 669-4747  
Fax: (843) 669-4747  
www.hiltonheadisland.com

(843) 669-4747  
843-669-2005 ext.  
23497@hiltonheadisland.com

Ms. Erica Madhere  
Town of Hilton Head Island  
One Town Center Circle  
Hilton Head Island, SC 29928

RE: Encumbering CIP grant 2017-2018

Dear Erica:

Although the Town has set aside money for some projects in the CIP grant for this fiscal year we have not been able to complete them. We wanted to know if it would be possible to encumber some of these items for FY2019. The total amount is \$60,961. We would request to encumber the following:

Note the total FY18 Unused Balance is \$58,462

1. \$5,000 - Discovery Windows
2. \$1,500 - Armstrong Hack House interior
3. \$2,000 - Armstrong Hack House Floors
4. \$ 825 - Pavillion House Roof
5. \$1,500 - Pavillion Restroom Building Interior Paint
6. \$ 500- Pavillion Restroom Building Porch Repair
7. \$14,500 - Hay Barn Roof
8. \$15,500 - Misc Emergency Access Road
9. \$697.00 - Security Camera
10. \$5,000 - Discovery House Floor (FY2017 rollover req)
11. \$2,450- Discovery House Doors (FY2017 rollover req)
12. \$6,055 - Misc Parking Lot/Road Repairs (FY2017 rollover req)
13. \$ 529 - Field Well Irrigation (FY2017 rollover req)
14. \$605 - Misc Fencing Repair (FY2017 rollover req)
15. \$2,500 - Misc Parking Lot Repairs (FY2017 rollover req)
16. \$1,800 -Misc Boardwalk Repairs (FY2017 rollover req)

Thank you,

Jennifer Stupica  
Director of Finance and Administration  
Coastal Discovery Museum

Coastal Discovery Museum-CIP Reimbursements												
Vendor #3014	FY2018	REVISED										
10000950-56034	CIP Budget	FY2018 CIP Budget	\$27,582.90 Additions	Total Budget	Expended	Available	JAN REQ#1	APR REQ#2	MAY REQ#3	JUNE REQ#4	Total	
Discovery House-Windows	\$ 5,000.00	\$ 5,000.00	\$ -	\$ 5,000.00	\$ 3,432.68	\$ 1,567.32				3,432.68	3,432.68	
Tree Maintenance	\$ -	\$ -	\$ -	\$ -	\$ 2,800.00	\$ (2,800.00)				2,800.00	2,800.00	
Discovery House-Trellis/ Service Yard Repairs	\$ 1,500.00	\$ 700.00	\$ -	\$ 700.00	\$ -	\$ 700.00					-	
Armstrong Hack House-Interior	\$ 1,500.00	\$ 1,500.00	\$ -	\$ 1,500.00	\$ -	\$ 1,500.00					-	
Armstrong Hack House-Floors	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 2,000.00	\$ -	\$ 2,000.00					-	
Pavilion- Roof	\$ 1,500.00	\$ 1,500.00	\$ -	\$ 1,500.00	\$ 675.00	\$ 825.00		675.00			675.00	
Pavillion Restroom Building - Exterior Paint	\$ 4,000.00	\$ 4,800.00	\$ -	\$ 4,800.00	\$ 4,800.00	\$ -		4,800.00			4,800.00	
Pavillion Restroom Building - Interior Paint	\$ 1,500.00	\$ 1,500.00	\$ -	\$ 1,500.00	\$ -	\$ 1,500.00					-	
Pavillion Restroom Building - Bathroom Fixtures	\$ 1,000.00	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 1,000.00	\$ -				1,000.00	1,000.00	
Pavillion Restroom Building - Porch Repairs	\$ 500.00	\$ 500.00	\$ -	\$ 500.00	\$ -	\$ 500.00					-	
Hay Barn - Roof	\$ 14,500.00	\$ 14,500.00	\$ -	\$ 14,500.00	\$ -	\$ 14,500.00					-	
Misc - Emergency Access Road	\$ 15,500.00	\$ 15,500.00		\$ 15,500.00	\$ -	\$ 15,500.00					-	
Misc - Security Cameras	\$ 8,500.00	\$ 8,500.00		\$ 8,500.00	\$ -	\$ 8,500.00					-	
Bathroom Building Exterior Paint (FY17 rollover req)	\$ -	\$ -	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ -		5,000.00			5,000.00	
Bathroom Building Fixture Repair (FY17 rollover req)	\$ -	\$ -	\$ 997.93	\$ 997.93	\$ 3,267.90	\$ (2,269.97)				3,267.90	3,267.90	
Discovery House Floors (FY17 rollover req)	\$ -	\$ -	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00					-	
Discovery House - Doors (FY17 rollover req)	\$ -	\$ -	\$ 2,450.00	\$ 2,450.00	\$ -	\$ 2,450.00					-	
Misc Parking Lot/Road Repairs (FY17 rollover req)	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 3,944.79	\$ 6,055.21	3,944.79				3,944.79	
Misc Well Field Irrigation Repair (FY17 rollover req)	\$ -	\$ -	\$ 1,729.00	\$ 1,729.00	\$ 1,200.00	\$ 529.00			1,200.00		1,200.00	
Misc Fencing Repair (FY17 rollover req)			\$ 605.97	\$ 605.97	\$ -	\$ 605.97					-	
Misc Parking Lot Road Repairs (FY17 rollover req)			\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00					-	
Misc Boardwalk Repairs (FY17 rollover req)			\$ 1,800.00	\$ 1,800.00	\$ -	\$ 1,800.00					-	
<b>TOTAL</b>	<b>\$ 57,000.00</b>	<b>\$ 57,000.00</b>	<b>\$ 27,582.90</b>	<b>\$ 84,582.90</b>	<b>\$ 26,120.37</b>	<b>\$ 58,462.53</b>	<b>\$ 3,944.79</b>	<b>\$10,475.00</b>	<b>\$ 1,200.00</b>	<b>\$ 10,500.58</b>	<b>\$ -</b>	<b>\$ 26,120.37</b>
<b>WIRE TRANSFER DATE:</b>												
<b>WIRE TRANSFER AMT:</b>												
WIRE FUNDS FROM THE A/P BANK ACCOUNT												
<b>APPROVED BY:</b>												
SCOTT LIGGETT												

**INFORMATION TECHNOLOGY  
2018 ROLLOVERS TO 2019**

<b>Travel (11061520-53010)</b>	
<b>Interconnecting Cisco Network Devices</b>	<b>\$ 1,600</b>
<b>Maintenance Contracts (11061520-53700)</b>	
<b>Beaufort County Broadcast Service</b>	<b>\$25,000</b>
<b>Stagefront Maintenance Contract</b>	<b>\$28,258</b>
<b>Public Stuff Mobile App &amp; CRM</b>	<b>\$20,085</b>
<b>Computer Software (11061520-54400)</b>	
<b>HR - Performance Management Software</b>	<b>\$20,000</b>
<b>Specialized Equipment =&gt;\$5,000</b>	
<b>Surveillance Cameras (10000940-55110)</b>	<b>\$36,000</b>
<b>Islanders Beach Park Wifi Expansion (10000940-55135)</b>	<b>\$40,000</b>
<b>Computer Software =&gt;\$50,000 (11061540-55121)</b>	
<b>Computer Software</b>	<b>\$29,880</b>

## Madhere Erica

---

**From:** Buckalew Jeff  
**Sent:** Thursday, July 05, 2018 4:15 PM  
**To:** Madhere Erica; Boring Heidi  
**Subject:** RE: Contract Change Order (FY18 budget)

Yes – please roll \$3,000 forward from FY 18 to FY19 account # 11536520-53360 (engineering traffic counts) to cover this change order.

Thanks!

---

**From:** Madhere Erica  
**Sent:** Thursday, July 05, 2018 4:06 PM  
**To:** Buckalew Jeff; Boring Heidi  
**Subject:** RE: Contract Change Order (FY18 budget)

The change order won't be able to be posted to FY18 at this point; however, you could request to roll budget forward to FY19. If you would like to request a roll forward, please let me know and I'll put it on the list to include in the roll forward ordinance.

Thank you,  
Erica

---

**From:** Buckalew Jeff  
**Sent:** Thursday, July 05, 2018 3:28 PM  
**To:** Boring Heidi; Madhere Erica  
**Subject:** Contract Change Order (FY18 budget)

We are just now doing a change order for traffic counts that were to be acquired in FY18. This comes from the Engineering operating budget (11536520-53360) and although it is only \$3,000, I wanted to know if that could be billed to FY18 as it was an FY 18 contract and the work was originally supposed to be done in FY18.

Thanks

Jeffrey S. Buckalew, PE  
Town of Hilton Head Island  
One Town Center Court  
Hilton Head Island, SC 29928  
[jeffb@hiltonheadislandsc.gov](mailto:jeffb@hiltonheadislandsc.gov)  
(843) 341-4772 (offc)  
(843) 384-5142 (cell)  
(843) 842-8587 (fax)



PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS E-MAIL.

## Madhere Erica

---

**From:** Derian Alice  
**Sent:** Friday, July 27, 2018 3:19 PM  
**To:** Troyer John  
**Cc:** Walls Julian; Madhere Erica; Boring Heidi  
**Subject:** General Funds

Hi John,

The pathway contract amount is \$97,362.00 and we will be issuing an addendum to the contract in the amount of \$11,233.00. We are also requesting \$7,500.00 for pathway striping. The total GF roll over request for pathways would be \$116,095.00. The only other GF roll over amount will be for the portable generator in the amount of \$92,500.00 per the discussion with Julian.

Thank you,  
Alice

Thursday, July 12, 2018

TO: Erica Madhere

SUBJECT: Budget Roll Forward Request

**Development Review Division**

**Consulting Services** 11585020-53350 encumber \$70,000 from FY18 to FY 19 Consulting Services

Consulting related to Town Council Priority – **Heirs Property** \$50,000 The processes for this project were started in FY2018 (RFP, interviews) but all the steps in the timeline could not be completed in FY2018 and therefore needs to be rolled over to FY2019.

Consulting related to **LMO Amendments** \$20,000 only one LMO Amendment was completed in the FY2018 and therefore needs to be rolled over to FY2019.

**Printing / Publishing** 11585020-53410 encumber \$16,900 from FY 18 to FY 19 Printing/Publishing. Only one LMO Amendment was completed in the timeline for FY2018 and therefore needs to be rolled over to FY2019.

**Comprehensive Planning Division**

**Consulting Services** 11585520-53350 encumber \$50,000 from FY 18 to FY 19 Consulting Services

Town Council Initiative Support \$50,000 – Consultant for Workforce Availability – **Housing**.

The processes for this project were started in FY2018(RFP, interviews) but all the steps in the timeline could not be completed in FY2018 and therefore needs to be rolled over to FY2019.

FY 2018 Travel: 11585520-53010 encumber \$2,200 to FY 2019 Travel 11585520-53010 explanation below:

Hi Heidi

Some conferences that were planned for in FY2018 were cancelled by the vendor and rescheduled for later in the year. Jennifer Ray has a conference that will take place in the fall. The early bird registration, hotel and airfare – if booked now – has a substantial savings. Since some conferences were cancelled by the vendor and we have the money in this FY18 budget, can we book now for something taking place later this year and roll over the FY18 money?

**STORMWATER PROJECTS - FY18-19 BUDGET ROLL FORWARD REQUESTS**

**PUD PROJECTS:**

HILTON HEAD PLANTATION

FIELD SPARROW LANE OUTFALL	\$	47,094.00
DOLPHIN HEAD & SEABROOK DR	\$	25,000.00
INVENTORY & MODELING	\$	50,000.00

INDIGO RUN

DRUMMOND LANE CHANNEL CLEAN	\$	23,940.00
-----------------------------	----	-----------

LEAMINGTON

COVINGTON PARK GRATE REPLACEMENT	\$	2,000.00
QUEENS WAY SINKHOLE	\$	10,000.00

LONG COVE

FIFE LANE PIPE/INLET/SINKHOLE	\$	8,894.00
CLARENDON LN SINKHOLE	\$	10,000.00

PALMETTO DUNES

ARMADA PIPE REPLACEMENT	\$	60,000.00
MOORING BUOY SINKHOLE	\$	4,000.00
IRON CLAD SINKHOLE	\$	10,000.00
HARBOURSIDE LN SINKHOLE	\$	5,000.00

PORT ROYAL

S. PORT ROYAL DR. INLET/DITCH	\$	5,000.00
TRUNK LINE CHANNEL RESTORATION	\$	82,617.00
INVENTORY & MODELING	\$	40,000.00

SHIPYARD

WINWARD VILLAGE DR. REPAIR	\$	10,000.00
GALLEON FAIRWAYS FLOODING	\$	12,000.00
SHIPYARD PUMP STATION	\$	17,589.00

SEA PINES

RUDDY TURNSTONE	\$	30,000.00
SPOTTED SANDPIPER PIPE REPAIR	\$	140,000.00
WREN DRIVE REPAIR	\$	25,000.00
CLUB COURSE DRAINAGE SYSTEM	\$	21,179.00
OCEAN COURSE REPAIRS	\$	24,000.00
LIGHTHOUSE RD CCTV & CLEAN	\$	7,054.00
BAYNARD PARK RD FLAP GATE	\$	11,000.00
OYSTER LANDING OUTLET STRUCTURE	\$	19,000.00
SEA PINES PUMP STATION	\$	34,407.00

WEXFORD

WEXFORD CLUB DR. FLOODING	\$	56,585.00
---------------------------	----	-----------

<b>TOTAL PUD PROJECTS</b>	<b>\$</b>	<b>791,359.00</b>
---------------------------	-----------	-------------------

**STORMWATER PROJECTS - FY18-19 BUDGET ROLL FORWARD REQUESTS**

**NON PUD PROJECTS:**

MATHEWS/ASHMORE CHANNEL OUTFALL	\$	18,679.00
PT. COMFORT AREA INVENTORY & MODELING	\$	30,000.00
MITCHELVILLE AREA INVENTORY & MODELING	\$	196,790.00
ARROW RD REAR CHANNEL	\$	15,930.00
JARVIS CREEK OUTFALL CHANNEL	\$	8,000.00
GUM TREE / WILDHORSE CHANNEL	\$	16,000.00
JARVIS CREEK PUMP STATION	\$	6,447.00
<b>TOTAL NON-PUD PROJECTS</b>	<b>\$</b>	<b>291,846.00</b>



# **TOWN OF HILTON HEAD ISLAND**

---

## *Community Development Department*

**TO:** Stephen G. Riley, ICMA-CM, *Town Manager*  
**VIA:** Charles Cousins, *Director of Community Development*  
**VIA:** Jennifer Ray, *Planning & Special Projects Manager*  
**FROM:** Marcy Benson, *Senior Grants Administrator*  
**CC:** Shawn Colin, *Deputy Director of Community Development*  
**DATE:** August 28, 2018  
**SUBJECT:** HUD/CDBG Entitlement Program 2017 CAPER

---

### **Recommendation:**

Staff requests approval by resolution of the attached program year 2017 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER) as required by the U.S. Department of Housing and Urban Development (HUD) for participation in the CDBG Entitlement Program.

### **Summary:**

The 2017 CAPER outlines how CDBG funds were spent and the progress made towards the goals outlined in the Five Year Consolidated Plan and the Annual Action Plan. The 2017 CAPER is a HUD requirement for participation in the CDBG Entitlement Program. The CAPER is submitted to HUD annually within 90 days after the close of the program year. The due date is September 28, 2018.

### **Background:**

In 2015 the Town of Hilton Head Island began participating in the HUD CDBG Entitlement Program. The HUD-required 2017 One Year Action Plan was approved by HUD in August 2017. To meet HUD requirements a CAPER must be prepared each year of program participation and public input must be solicited for the CAPER. The CAPER describes activities implemented and accomplishments related to the goals and objectives identified in the 2015 – 2019 Five Year Consolidated Plan and the 2017 Annual Action Plan.

The CAPER was released to the public on August 6, 2018 for a 15 day public comment period and a public meeting to solicit public input was held on August 15, 2018. At the close of the 15 day public comment on August 21, 2018 no public comments were received. A summary stating no comments were received is included in the CAPER.

Approval of the CAPER at the September 18, 2018 Town Council meeting will allow the report to be submitted by the September 28, 2018 HUD deadline.

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA TO APPROVE THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2017 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)**

**WHEREAS**, in August 2017 the Town of Hilton Head Island Community Development Block Grant (CDBG) One Year Annual Action Plan for program year 2017 detailing goals and objectives to be implemented to address community needs in low-and-moderate income areas within the Town’s jurisdiction was approved by the United States Department of Housing and Urban Development (HUD); and

**WHEREAS**, as an entitlement community, the Town must prepare and submit a CAPER to HUD within 90 days after the close of the program year; and

**WHEREAS**, the CAPER is an annual report of activities implemented and accomplishments of goals and objectives identified in the 2017 Annual Action Plan; and

**WHEREAS**, the Town has adhered to the public participation requirements set forth in the Citizen Participation Plan in the development of the 2017 CAPER by conducting a public meeting and 15 day comment period to solicit citizen input and review for the 2017 CAPER; and

**WHEREAS**, the Town Manager is authorized to submit the 2017 CAPER to HUD for review and acceptance;

**NOW, THEREFORE BE IT, AND IT HEREBY IS RESOLVED BY THE TOWN COUNCIL FOR THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, THAT** The 2017 CAPER as submitted in the attachment to this resolution be approved and submitted to HUD.

**MOVED, APPROVED, AND ADOPTED ON THIS 18TH DAY OF SEPTEMBER, 2018.**

\_\_\_\_\_  
David Bennett, Mayor

ATTEST:

\_\_\_\_\_  
Krista M. Wiedmeyer, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Gregory M. Alford, Town Attorney

Introduced by Council Member: \_\_\_\_\_

# Town of Hilton Head Island

## 2017

### Consolidated Annual Performance Evaluation Report (CAPER)

For the  
U.S. Department of Housing and Urban Development  
Community Development Block Grant Program



~DRAFT~

## Table of Contents

CR-05 - Goals and Outcomes .....	3
CR-10 - Racial and Ethnic composition of families assisted .....	6
CR-15 - Resources and Investments 91.520(a) .....	7
CR-20 - Affordable Housing 91.520(b) .....	8
CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c) .....	10
CR-30 - Public Housing 91.220(h); 91.320(j) .....	12
CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j) .....	13
CR-40 - Monitoring 91.220 and 91.230 .....	15
CR-45 - CDBG 91.520(c) .....	16

DRAFT

## **CR-05 - Goals and Outcomes**

**Progress the jurisdiction has made in carrying out its strategic plan and its action plan.**

### **91.520(a)**

At the end of each program year, the Town of Hilton Head Island is required to prepare a Consolidated Annual Performance Evaluation Report (CAPER). This report must be submitted to HUD within 90 days after the close of the program year and includes information on the programmatic accomplishments under the CDBG program. This CAPER is for the third year of the 2015 – 2019 Consolidated Plan. The Town of Hilton Head Island CDBG allocation for 2017 was \$200,781.

#### **Administrative and Planning Activities:**

The 2017 Annual Action Plan was submitted to HUD in July 2017. In August 2017 the Town of Hilton Head Island was notified the 2017 Annual Action Plan was approved and a grant agreement for 2017 was executed in September 2017. Three activities related to public notice requirements for the 2018 Annual Action Plan and a pending Consolidated Plan Amendment were conducted in November 2017, January 2018 and April 2018.

#### **Non-Housing Community Development Activities:**

The Rhiner Drive dirt road paving project funded in the 2016 CDBG program year was substantially completed in January 2018 and final completion was in May 2018. All CDBG funds allocated for the Rhiner Drive dirt road paving project have been expended. The 2017 project year funds allocated for the Cobia Court dirt road paving project have not yet been expended. The right of way acquisition for the Cobia Court dirt road paving project is moving more slowly than originally anticipated and is not complete. There have been continuing discussions related to the Town of Hilton Head Island dirt road paving program with Town staff, elected officials and residents of Cobia Court. At this time there is no anticipated project start date.

**Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)**

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected Strategic Plan	Actual Strategic Plan	Percent Complete	Expected Program Year	Actual Program Year	Percent Complete
Alice Perry Drive Paving	Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	37	0	0.00%	0	0	0%
Blazing Star Lane Paving	Non-Housing Community Development	CDBG: \$179,937	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	30	30	100%	30	30	100%
Cobia Court Paving	Non-Housing Community Development	CDBG: \$200,781	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	37	0	0.00%	37	0	0%
Development of Consolidated Plan	Administrative and Planning	CDBG: \$22,410	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	37,099	37,099	100%	37,099	37,099	100%
Murray Avenue Paving	Non-Housing Community Development	CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	75	0	0.00%	0	0	0%
Rhiner Drive Paving	Non-Housing Community Development	CDBG: \$196,123	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	20	20	100%	20	20	100%

**Table 1 - Accomplishments – Program Year & Strategic Plan to Date**

**Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.**

The Town of Hilton Head Island has used 2017 CDBG funds to address priority needs identified in the 2015 – 2019 Consolidated Plan and the 2017 Annual Action Plan. Funds are being used for the needs listed with a high priority level. The needs listed with a high priority level were public improvements and administrative and planning. The 2017 project year funds allocated for the public improvement project to pave Cobia Court have not yet been expended, however allowable program administrative costs associated with the 2017 program year are being used in compliance with CDBG program requirements. The right of way acquisition for the Cobia Court dirt road paving project is moving more slowly than originally anticipated and is not complete. Because construction of the program year 2017 Cobia Court dirt road paving project has not started the actual number of persons assisted is shown as zero (0) in the table above. The Rhiner Drive dirt road paving project funded in the 2016 CDBG program year was substantially completed in January 2018 and final project completion was in May 2018. All 2016 CDBG funds allocated for the 2016 Rhiner Drive dirt road paving project and administrative and planning funds have been expended.

DRAFT

## CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG
White	2,361
Black or African American	647
Asian	33
American Indian or American Native	10
Native Hawaiian or Other Pacific Islander	0
<b>Total</b>	<b>3,051</b>
Hispanic	978
Not Hispanic	2,644

Table 2 – Table of assistance to racial and ethnic populations by source of funds

### Narrative

The data represented in the table above for the Town of Hilton Head Island Census Tract 105 does not reflect a racial and ethnic total for the categories “Some Other Race Alone” or “Two or More Races”. These two categories total 571 for Census Tract 105.

According to the 2010 U.S. Census the total population of the Town of Hilton Head Island is 37,099. The population composition is as follows: 30,741 persons (82.9%) are White; 2,766 persons (7.5%) are Black or African American; 57 persons (0.2%) are American Indian or Alaska Native; 339 persons (0.9%) are Asian; 22 persons (0.1%) are Native Hawaiian and Other Pacific Islander; 2,713 persons (7.3%) are Some Other Race; and 451 persons (1.2%) are Two or More Races. The total Hispanic population of the Town of Hilton Head Island is comprised of 5,861 persons which is 15.8% of the total Town population. It should be noted in Census data Hispanic is considered an ethnicity and not a race, for example, the race of a person may be White and their ethnicity Hispanic, or their race may be Black or African American and their ethnicity Hispanic.

The table above represents 2010 U.S. Census population for the Town of Hilton Head Island Census Tract 105. This Census Tract is where 2017 CDBG program funds are being used for public infrastructure improvement. The total population for Census Tract 105 is 3,622. The population composition for Census Tract 105 is as follows: 2,361 persons (65%) are White; 647 persons (18%) are Black or African American; 33 persons (0.9%) are Asian; 10 persons (0.02%) are American Indian or Alaska Native; and 0 persons (0.0%) are Native Hawaiian or Other Pacific Islander. The total Hispanic population of Census Tract 105 is comprised of 978 persons which is 27% of the total Census Tract population.

## CR-15 - Resources and Investments 91.520(a)

### Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	CDBG	\$200,781	\$1,028.25

Table 3 - Resources Made Available

### Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Census Tract 105	98	0	Funds for infrastructure improvements in Census Tract 105, which meets LMI requirements.
Census Tract 108	0	0	No CDBG funded projects were planned in Census Tract 108 for the 2017 program year.
Town-Wide	2	20%	Funds for program administration costs which meet HUD requirements.

Table 4 – Identify the geographic distribution and location of investments

### Narrative

Resources available to the Town of Hilton Head Island during the 2017 program year included CDBG funds allocated to the Town from HUD.

### Leveraging

**Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.**

There is no matching requirement for CDBG program funding, however, the Town of Hilton Head Island is in the process of acquiring Cobia Court, in order for the road to become a publicly owned right of way which will be used to address the need for paving a dirt road in a low to moderate income neighborhood. If Cobia Court paving construction costs exceed the allocated CDBG funds the Town of Hilton Head Island will use general fund dollars to leverage project construction costs over the CDBG allocation amount. No other state or private funds are being used at this time to assist with the 2017 CDBG funded activity of paving Cobia Court.

## CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	0	0
Number of Special-Needs households to be provided affordable housing units	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	0	0
Number of households supported through Acquisition of Existing Units	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

Table 6 – Number of Households Supported

### Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

In the third year (2017) of reporting on the 2015 – 2019 Consolidated Plan there was no goal to provide rental assistance, production of new units, rehabilitation of existing units or acquisition of existing units. These are not activities the Town of Hilton Head Island typically undertakes. The difficulty in setting affordable housing goals pertains to the high cost and limited availability of buildable property on a coastal barrier island with finite boundaries.

### Discuss how these outcomes will impact future annual action plans.

The Analysis of Impediments to Fair Housing Choice prepared in 2016 by the Lowcountry Council of Governments on behalf of the Town of Hilton Head Island identified six (6) recommendations for policy

updates related to affordable housing. Those recommendations will be continually reviewed and implemented when possible throughout the remaining years of the Five-Year Consolidated Plan term. In 2017 the Public Planning Committee of the Town Council of the Town of Hilton Head Island and Town staff began to study the issue of the availability of workforce and affordable housing. Stakeholders meetings were held with local builders, developers, employers and service organizations to solicit input on community affordable housing needs. Town Council adopted nine recommendations related to workforce and affordable housing and Town staff developed a scope of work for research, analysis and options for a Town of Hilton Head Island affordable housing strategy. The Town also was a participant in the Beaufort County Housing Needs Assessment process.

**Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.**

<b>Number of Households Served</b>	<b>CDBG Actual</b>	<b>HOME Actual</b>
Extremely Low-income	0	0
Low-income	0	0
Moderate-income	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

**Table 7 – Number of Households Served**

**Narrative Information**

The Town of Hilton Head Island locates CDBG funded projects in Census Tracts which meet or exceed the 51% or higher low and moderate income population requirement established by HUD. The public infrastructure improvement listed in this 2017 CAPER is located on Cobia Court in Census Tract 105 which has a low and moderate income population of 54.04%.

## **CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)**

**Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:**

### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The Lowcountry Homeless Coalition, based in Charleston, South Carolina is the Continuum of Care working to address the needs of the homeless in a seven county region of the South Carolina lowcountry. Annual point-in-time counts are conducted in the area; however, due to no homeless shelters operating in the Town of Hilton Head Island, there is no homeless data for the Town to evaluate.

In the January 2015 point-in-time count there were 37 persons experiencing homelessness interviewed in Beaufort County. Eight (8) of these persons were living unsheltered. Twenty-nine of these persons were living in shelters and of those, 24 were members of families living with children. In the January 2016 point-in-time count there were 35 persons experiencing homelessness interviewed in Beaufort County. Twenty-five (25) of these persons were living unsheltered. Ten of these persons were living in emergency shelter.

January 2017 point-in-time count results indicate 13 persons experiencing homelessness interviewed in Beaufort County. Nine (9) of these persons were living unsheltered and four (4) were living in shelters. The 2017 point-in-time count also shows one (1) homeless veteran, one (1) chronic homeless person and a total of 32 emergency and transitional beds within Beaufort County. Compared to the 2015 and 2016 point-in-time count results there was a reduction in homelessness in Beaufort County. This reduction is similar to the statewide decrease in homelessness cited in the South Carolina Coalition for the Homeless 2017 point-in-time report. It must be noted, the homelessness figures above do not reflect homeless specifically in the Town of Hilton Head Island; these figures are for Beaufort County as a whole.

As of July 2018 the Lowcountry Homeless Coalition has not released the 2018 point-in-time count results. When these results are obtained the data will be shared with the community.

### **Addressing the emergency shelter and transitional housing needs of homeless persons.**

Currently there are no emergency shelter and transitional housing shelters operating in the Town of Hilton Head Island. At this time there is no future plan to own or operate emergency shelters or transitional housing in the Town of Hilton Head Island.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

The Town of Hilton Head Island continues to participate in the Lowcountry Affordable Housing Coalition. This coalition consists of governmental entities, non-profit and private organizations striving to make housing more affordable in the Beaufort County area. The coalition has a focus of assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the Beaufort County Human Services Alliance resources are pooled and community needs are addressed in the areas of economy, education, poverty, and health/environmental issues.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.**

There are no homeless shelters located within the jurisdiction of the Town of Hilton Head Island and no homeless population count data available specifically for the Town of Hilton Head Island from the Lowcountry Homeless Coalition, which is the regional Continuum of Care servicing the Town. There is the non-profit organization, Family Promise of Beaufort County, located in neighboring Bluffton, South Carolina. Family Promise of Beaufort County is a coalition of Beaufort County churches assisting homeless families through a 60 – 90 day program. The program provides evening accommodations for program participants at host churches and daytime transportation to school for children and educational programs for parents in the program.

## **CR-30 - Public Housing 91.220(h); 91.320(j)**

### **Actions taken to address the needs of public housing.**

The Town of Hilton Head Island does not own or operate any public housing developments or units and there is no future plan to own or operate public housing units. The Beaufort Housing Authority is the agency providing public housing to approximately 723 residents in Beaufort County, South Carolina and there are 293 units of housing located throughout the county. In the Town of Hilton Head Island the Beaufort Housing Authority operates 80 public housing units at the Sandalwood Terrace Apartments. The Town of Hilton Head Island did not set any specific public housing goals in the 2015 – 2019 Consolidated Plan.

### **Actions taken to encourage public housing residents to become more involved in management and participate in homeownership.**

The Beaufort Housing Authority works with resident services at each of the public housing developments and through this collaboration promote programs and activities for residents. Some of the programs offered include: the Family Self-Sufficiency Program, which is a five year homeownership education program, Sandalwood Terrace Resident Council, free budgeting classes, community garden clubs, and guest speaker sessions on health, nutrition, community living and library use.

### **Actions taken to provide assistance to troubled PHAs.**

Not Applicable.

## **CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)**

**Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)**

Public policy changes are not currently planned, however steps to study affordable housing issues within the Town of Hilton Head Island and develop a housing strategic plan have been taken in 2017 and will continue throughout 2018. Affordable housing is encouraged through the Town of Hilton Head Island's Comprehensive Plan. Building codes do not prevent the provision of affordable housing, but are necessary to providing housing standards for safety and habitability. The inability to produce affordable housing units is largely due to the high cost of property within the Town of Hilton Head Island.

### **Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)**

To reduce the number of obstacles in meeting the needs of the underserved populations Town staff may assist with facilitating collaborations with area service organizations which spearhead community-wide solutions to local needs.

### **Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)**

Data for lead-based paint hazards in the Town of Hilton Head Island is unavailable. At this time actions to address lead-based paint hazards have not been identified.

### **Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)**

The Town of Hilton Head Island anticipates continued participation in the Lowcountry Affordable Housing Coalition. This coalition consists of governmental entities, non-profit and private organizations striving to make housing more affordable in the Beaufort County area. The coalition has a focus on assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the Beaufort County Human Services Alliance resources are pooled and community needs addressed in the areas of economy, education, poverty, and health/environmental issues.

### **Actions taken to develop institutional structure. 91.220(k); 91.320(j)**

The Town of Hilton Head Island will continue to coordinate efforts and partnerships with state and local government entities such as Beaufort County, the Lowcountry Council of Governments, and various State of South Carolina offices to carry out the priority needs listed in the Annual Action Plan.

### **Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)**

The Town of Hilton Head Island continues to participate in the Lowcountry Affordable Housing Coalition, which is under the auspices of Together for Beaufort and the Beaufort County Human Services Alliance.

This coalition consists of governmental entities, non-profit and private organizations striving to make housing more affordable in the Beaufort County area. The coalition has a focus on assisting residents of Beaufort County and serves as a forum for member organizations to share ideas, coordinate projects, and foster interagency cooperation. With support from the Beaufort County Human Services Alliance resources are pooled and community needs are addressed in the areas of economy, education, poverty, and health/environmental issues.

**Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)**

The Analysis of Impediments to Fair Housing Choice (AI) acknowledged eight impediments to fair housing choice: housing affordability, high cost of housing, inventory, transportation, small urban area, shelter and homelessness limited facilities, financial illiteracy, discrimination, and other.

Actions to overcome the effects of impediments identified in the AI include:

- In coordination with the Lowcountry Foundation, the Town of Hilton Head Island has committed to \$9 million of sewer improvements which will connect lower income areas which rely on septic systems to treat wastewater.
- The Town of Hilton Head Island uses CDBG entitlement funds to pave dirt roads located in low and moderate income areas.
- The Town of Hilton Head Island donated town-owned property for a 10 home Habitat for Humanity development.
- The Town of Hilton Head Island participates as a member of the Lowcountry Affordable Housing Coalition.
- In 2017 the Public Planning Committee of the Town Council of the Town of Hilton Head Island and Town staff began to study the issue of availability of workforce and affordable housing.
- In 2017 the Town of Hilton Head Island was a participant in the Beaufort County Housing Needs Assessment process.
- In 2017 affordable housing stakeholder meetings were held with local builders, developers, employers and service organizations to solicit input on community affordable housing needs.
- In 2017 the Town Council of the Town of Hilton Head Island adopted nine recommendations related to workforce and affordable housing.
- In 2018 Town staff developed a scope of work for research, analysis and options for a Town of Hilton Head Island affordable housing strategy.

## **CR-40 - Monitoring 91.220 and 91.230**

**Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements.**

The Town of Hilton Head Island Community Development Department staff is responsible for ensuring CDBG program requirements and funds are managed and allocated in compliance with federal regulations and guidelines. Town staff adheres to the procurement requirements as stated in the Municipal Code of the Town of Hilton Head Island, South Carolina Title 11, Procurement and Purchasing. Monitoring is conducted on an as-needed basis.

## **Citizen Participation Plan 91.105(d); 91.115(d)**

**Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.**

A public notice advertising the public meeting and 15 day public comment period for the 2017 CAPER was published in the newspaper with local circulation (The Island Packet) and posted on the Town of Hilton Head Island website on Sunday, July 29, 2018. In addition the public meeting notice was sent via email "blast" to individuals who submitted email addresses requesting notification of public notices. The 15 day public comment period began on Monday, August 6, 2018 and ended Tuesday, August 21, 2018. A public meeting was held on Wednesday, August 15, 2018 at 6pm in the Benjamin M. Racusin Council Chambers at the Town of Hilton Head Island Town Hall located at 1 Town Center Court, Hilton Head Island, South Carolina. There were no comments received at the public meeting and no comments received during the 15 day public comments period. A summary of comments is attached to this CAPER. Following the public meeting and comment period the draft 2017 CAPER was presented at the Town of Hilton Head Island Town Council meeting on September 18, 2018 for review and comment.

**CR-45 - CDBG 91.520(c)**

**Specify the nature of, and reasons for, any changes in the jurisdiction’s program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.**

The year reported in this CAPER (2017) was the third year of the Town of Hilton Head Island 2015 – 2019 Consolidated Plan and the objectives in the plan to allocate CDBG funding for public improvement projects and program administrative costs did not change.

**Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?**

No

**[BEDI grantees] Describe accomplishments and program outcomes during the last year.**

DRAFT



Office of Community Planning and Development  
 U.S. Department of Housing and Urban Development  
 Integrated Disbursement and Information System  
 PR26 - CDBG Financial Summary Report  
 Program Year 2017  
 HILTON HEAD ISLAND , SC

DATE: 07-16-18  
 TIME: 11:19  
 PAGE: 1

PART I: SUMMARY OF CDBG RESOURCES

01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	195,110.93
02 ENTITLEMENT GRANT	200,781.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	0.00
05 CURRENT YEAR PROGRAM INCOME	0.00
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	0.00
08 TOTAL AVAILABLE (SUM, LINES 01-07)	395,891.93

PART II: SUMMARY OF CDBG EXPENDITURES

09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	194,510.16
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	194,510.16
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	1,629.02
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	0.00
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	196,139.18
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	199,752.75

PART III: LOWMOD BENEFIT THIS REPORTING PERIOD

17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0.00
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	194,510.16
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	0.00
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	194,510.16
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	100.00%

LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS

23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: 2017 PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%

PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS

27 DISBURSED IN IDIS FOR PUBLIC SERVICES	0.00
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	0.00
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	0.00
32 ENTITLEMENT GRANT	200,781.00
33 PRIOR YEAR PROGRAM INCOME	0.00
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	200,781.00
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	0.00%

PART V: PLANNING AND ADMINISTRATION (PA) CAP

37 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	1,629.02
38 PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	0.00
39 PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
40 ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	0.00
41 TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 +LINE 40)	1,629.02
42 ENTITLEMENT GRANT	200,781.00
43 CURRENT YEAR PROGRAM INCOME	0.00
44 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45 TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	200,781.00
46 PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	0.81%



Office of Community Planning and Development  
 U.S. Department of Housing and Urban Development  
 Integrated Disbursement and Information System  
 PR26 - CDBG Financial Summary Report  
 Program Year 2017  
 HILTON HEAD ISLAND , SC

DATE: 07-16-18  
 TIME: 11:19  
 PAGE: 2

LINE 17 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 17

Report returned no data.

LINE 18 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 18

Report returned no data.

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2016	1	14	6100894	Rhiner Drive Paving	03K	LMA	\$27,060.84
2016	1	14	6119255	Rhiner Drive Paving	03K	LMA	\$167,449.32
					03K	Matrix Code	\$194,510.16
<b>Total</b>							<b>\$194,510.16</b>

LINE 27 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 27

Report returned no data.

LINE 37 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 37

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2016	2	16	6070300	Rhiner Drive 2nd Invitation to Bid Notice	21A		\$258.02
2016	2	17	6070319	2016 CAPER Public Notice	21A		\$342.75
2017	2	18	6102364	2018 Annual Action Plan Public Meeting Notice	21A		\$342.75
2017	2	20	6123886	2018 Annual Action Plan Public Comment Period Notice	21A		\$342.75
2017	2	21	6151431	Con Plan 2018 Substantial Amendment Public Notice	21A		\$342.75
					21A	Matrix Code	\$1,629.02
<b>Total</b>							<b>\$1,629.02</b>



## Section 3 Summary Report

Economic Opportunities for Low- and Very Low-Income Persons

**U.S. Department of Housing and Urban Development**

Office of Fair Housing and Equal Opportunity

OMB Approval No. 2529-0043  
(exp. 11/30/2018)

<b>Disbursement Agency</b>
HILTON HEAD, TOWN OF
1 TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928
57-0752325

<b>Reporting Entity</b>
HILTON HEAD, TOWN OF
1 TOWN CENTER COURT, HILTON HEAD ISLAND, SC 29928

<b>Dollar Amount</b>	\$196,139.18
<b>Contact Person</b>	Marcy Benson
<b>Date Report Submitted</b>	07/18/2018

Reporting Period		Program Area Code	Program Area Name
From	To		
7/1/17	6/30/18	CDB1	Community Devel Block Grants

## Part I: Employment and Training

Job Category	Number of New Hires	Number of New Hires that Are Sec. 3 Residents	Aggregate Number of Staff Hours Worked	Total Staff Hours for Section 3 Employees	Number of Section 3 Trainees
The expenditure of these funds did not result in any new hires.					

<b>Total New Hires</b>	0
<b>Section 3 New Hires</b>	0
<b>Percent Section 3 New Hires</b>	N/A
Total Section 3 Trainees	0
The minimum numerical goal for Section 3 new hires is 30%.	

## Part II: Contracts Awarded

<b>Construction Contracts</b>	
Total dollar amount of construction contracts awarded	\$293,858.90
Total dollar amount of contracts awarded to Section 3 businesses	\$0.00
Percentage of the total dollar amount that was awarded to Section 3 businesses	0.0%
Total number of Section 3 businesses receiving construction contracts	0
The minimum numerical goal for Section 3 construction opportunities is 10%.	

<b>Non-Construction Contracts</b>	
Total dollar amount of all non-construction contracts awarded	\$0.00
Total dollar amount of non-construction contracts awarded to Section 3 businesses	\$0.00
Percentage of the total dollar amount that was awarded to Section 3 businesses	N/A
Total number of Section 3 businesses receiving non-construction contracts	0
The minimum numerical goal for Section 3 non-construction opportunities is 3%.	

### Part III: Summary

Indicate the efforts made to direct the employment and other economic opportunities generated by HUD financial assistance for housing and community development programs, to the greatest extent feasible, toward low- and very low-income persons, particularly those who are recipients of government assistance for housing.

No	Attempted to recruit low-income residents through: local advertising media, signs prominently displayed at the project site, contacts with community organizations and public or private agencies operating within the metropolitan area (or nonmetropolitan county) in which the Section 3 covered program or project is located, or similar methods.
No	Participated in a HUD program or other program which promotes the training or employment of Section 3 residents.
No	Participated in a HUD program or other program which promotes the award of contracts to business concerns which meet the definition of Section 3 business concerns.
No	Coordinated with Youthbuild Programs administered in the metropolitan area in which the Section 3 covered project is located.
No	Other; describe below.

All procurement procedures were followed in the invitation to bid solicitation for the construction contract listed in this report. Three contractors submitted bids for this construction contract and the lowest responsible bid was selected per procurement procedures. In an effort to reach as many bidders as possible advertisements were published in the Island Packet, a newspaper of local circulation, the South Carolina Business Opportunities weekly publication and on the Town of Hilton Head Island website

**NOTICE OF 15 DAY PUBLIC COMMENT PERIOD  
AND PUBLIC MEETING  
CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT  
(CAPER)**

Notice is hereby given that the Town of Hilton Head Island has prepared a draft of its 2017 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning **Monday, August 6, 2018**. A public meeting to obtain comments on the 2017 CAPER will be held on **Wednesday, August 15, 2018 at 6:00pm** at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the CAPER will be available for review at the meeting and Monday – Friday 8:00am – 4:30pm at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at: <http://www.hiltonheadislandsc.gov/> beginning at 8:00am Monday, August 6, 2018. Written comments on the CAPER are encouraged and may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to [marcyb@hiltonheadislandsc.gov](mailto:marcyb@hiltonheadislandsc.gov) . Comments will be accepted until **Tuesday, August 21, 2018**.

The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at (843) 341-4689.

**THE ISLAND PACKET**  
**The Beaufort Gazette**

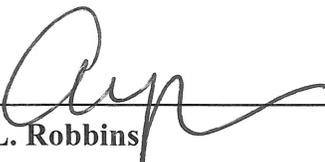
STATE OF )  
SOUTH CAROLINA ) AFFIDAVIT  
COUNTY OF BEAUFORT )

Personally appeared before me a Notary Public, in and for State and County, aforesaid, Curt Jacobi who being duly sworn according to law, deposes and says that he is the Vice President of Advertising of *The Island Packet and The Beaufort Gazette*, newspapers published Sunday through Saturday every week in Beaufort County, **TOWN OF HILTON HEAD, Public Notice: Consolodated Annual Performance Evaluation Report (CAPER)** was published in the issue of *The Island Packet/The Beaufort Gazette* on July 29, 2018.



**Curt Jacobi,**  
**Vice President of Adertising**  
**The Island Packet/The Beaufort Gazette**

**Subscribed and sworn to before  
me this 31st day of July, 2018**

  
\_\_\_\_\_  
Amy L. Robbins

**Notary Public for South Carolina**

**My Commission Expires on November 27, 2022**

NOTICE OF 15 DAY PUBLIC COMMENT PERIOD  
AND PUBLIC MEETING  
CONSOLIDATED ANNUAL PERFORMANCE  
EVALUATION REPORT (CAPER)

Notice is hereby given that the Town of Hilton Head Island has prepared a draft of its 2017 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning **Monday, August 6, 2018**. A public meeting to obtain comments on the 2017 CAPER will be held on **Wednesday, August 15, 2018 at 6:00pm** at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the CAPER will be available for review at the meeting and Monday – Friday 8:00am – 4:30pm at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at: <http://www.hiltonheadislandsc.gov/> beginning at 8:00am Monday, August 6, 2018. Written comments on the CAPER are encouraged and may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to [marcyb@hiltonheadislandsc.gov](mailto:marcyb@hiltonheadislandsc.gov). Comments will be accepted until **Tuesday, August 21, 2018**.

The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at (843) 341-4689.

## Benson Marcy

---

**From:** Phillips Rene  
**Sent:** Monday, July 30, 2018 9:10 AM  
**To:** Benson Marcy  
**Subject:** FW: Courtesy Copy: Notice of 15 Day Public Comment Period and Public Meeting (CAPER)

*René Phillips, CIW, Website Administrator  
Town of Hilton Head Island  
One Town Center Court  
Hilton Head Island, SC 29928  
843-341-4792  
[www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov)*

---

**From:** Town of Hilton Head Island [mailto:updates@secure.hiltonheadislandsc.gov]  
**Sent:** Sunday, July 29, 2018 9:00 AM  
**To:** Phillips Rene; Spinella Kelly; Grant Carolyn  
**Subject:** Courtesy Copy: Notice of 15 Day Public Comment Period and Public Meeting (CAPER)

**This is a courtesy copy of an email bulletin sent by Rene Phillips.**

**This bulletin was sent to the following groups of people:**

Subscribers of Legal Notices (2200 recipients)

---



### **Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)**

Notice is hereby given that the Town of Hilton Head Island has prepared a draft of its 2017 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning **Monday, August 6, 2018**. A public meeting to obtain comments on the 2017 CAPER will be held on Wednesday, August 15, 2018 at 6:00pm at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the CAPER will be available for review at the meeting and **Monday - Friday 8:00am - 4:30pm** at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at: <http://www.hiltonheadislandsc.gov/> beginning at 8:00am Monday, August 6, 2018. Written comments on the CAPER are encouraged and

may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to [marcyb@hiltonheadislandsc.gov](mailto:marcyb@hiltonheadislandsc.gov). Comments will be accepted until **Tuesday, August 21, 2018**.

The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at 843-341-4689.

View this media release in its entirety at <http://hiltonheadislandsc.gov/government/news/newsdetails.cfm?NewsID=446>



[www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov)

STAY CONNECTED:



 SHARE

Questions for the Town of Hilton Head Island? [Contact Us](#)

SUBSCRIBER SERVICES:

[Manage Preferences](#) | [Unsubscribe](#) | [Help](#)

**Town of Hilton Head Island Website – Main Page**  
**July 30, 2018**  
**2017 CAPER Public Comment Period and Public Meeting Notice**



**Town of Hilton Head Island**  
Beaufort County, South Carolina

[Employment Opportunities](#) | [Topic Index](#) | [Contact Us](#)  
[E-Subscription Service](#) |

Home
Government
Online Services
Departments
Our Island
Public Safety
Publications

**How Do I...**

- > Apply for...
- > Contact...
- > Find...
- > Obtain...
- > Pay...
- > Participate...
- > Register...
- > Renew...
- > Report...
- > Schedule...
- > Subscribe to...
- > Submit a...
- > View...



**Congratulations to the Hilton Head 8U All-Stars, the 2018 Youth AA Machine Pitch State Champions!**

**Town Council Key Priorities**

**Open Town Hall HH1**  
*Join the discussion!*

**CIP Dashboard**

**Financial Dashboard**

**OFFICE OF CULTURAL AFFAIRS**  
*Hilton Head Island*

**Building & Development**

**Sustainability on Hilton Head Island**

**Boards, Committees, Commissions**

**Major Initiatives**

- Hilton Head Island - Our Future
- Island Recreation Center Expansion
- Powerline Burial Project
- Single-Use Plastic Bag Ban
- USCB Hospitality Management Facility
- Venue Committee

**Hot Topics**

**The Breeze - Hilton Head Island's Trolley Service**  
Hilton Head Island's trolley service - The Breeze - will soon make its debut and will be one of the best ways to get around the island. We are currently seeking volunteers to serve as ambassadors onboard the trolley. [Learn more...](#)

**Single-Use Plastic Bag Ban Starts November 1, 2018**  
Starting November 1, all businesses will be banned from giving customers single-use plastic carry-out bags to haul items. The law regulates the types of bags that businesses can provide customers at checkout and mandates a shift to reusable bags. [more information...](#)

**Lights Out for Turtles**  
Sea turtle nesting season starts May 1st! You can help nesting sea turtles and their hatchlings by turning off oceanfront lights by 10 pm; it's the law! Remember, sea turtles dig the dark! [more information...](#)

**Boards, Committees, Commissions**

**Meeting Calendar**

**Upcoming Meetings**

- Pre-Application Meeting  
7/30/2018 at 10:30 AM
- Planning Commission - Comprehensive Planning Committee  
7/31/2018 at 4:00 PM  
Hilton Head PSD Community Meeting Room
- Planning Commission  
8/1/2018 at 9:00 AM  
Hilton Head PSD Community Meeting Room
- Gullah-Geechee Land and Cultural Preservation Task Force  
8/6/2018 at 1:00 PM
- ATAX Grant Application available  
8/6/2018 at 8:00 AM
- Intergovernmental and Public Safety Committee  
8/6/2018 at 10:00 AM

**Meeting Broadcasting & Video Archive**

**E-Subscription Service**

To sign up for alerts and updates or to access your subscriber preferences, please enter your contact information below. Select email or text alerts from the pull down menu. [Learn more...](#)

Subscription Type  
Email

\*Email Address

**Seasonal Safety Tips**

**Lights Out for Turtles**  
Sea turtle nesting season starts May 1st! You can help nesting sea turtles and their hatchlings by turning off oceanfront lights by 10 pm; it's the law! Remember, sea turtles dig the dark! [more information...](#)

**Are You Prepared for Hurricane Season?**  
The six month Atlantic Hurricane Season officially began June 1st and runs through November 30th. We should all be prepared to take actions to lessen a storm's impact. [more information...](#)

**Upcoming Municipal Election Information**

**Preliminary Digital Flood Insurance Rate Maps**  
FEHA has recently released preliminary digital flood insurance rate maps for coastal areas of Beaufort County. The new maps are expected to become effective in June of 2019 and are now available for viewing. [more information...](#)

**Hilton Head Island - Our Future**  
*Our Future's* goal is to ensure residents, business owners, local institutions and all community stakeholders have a voice in future decision making, and to provide the Town with the insight needed to set intelligent, coordinated, and creative future priorities. [more information...](#)

**Boards, Committees, Commissions**

**Meeting Calendar**

**Upcoming Meetings**

- Pre-Application Meeting  
7/30/2018 at 10:30 AM
- Planning Commission - Comprehensive Planning Committee  
7/31/2018 at 4:00 PM  
Hilton Head PSD Community Meeting Room
- Planning Commission  
8/1/2018 at 9:00 AM  
Hilton Head PSD Community Meeting Room
- Gullah-Geechee Land and Cultural Preservation Task Force  
8/6/2018 at 1:00 PM
- ATAX Grant Application available  
8/6/2018 at 8:00 AM
- Intergovernmental and Public Safety Committee  
8/6/2018 at 10:00 AM

**Meeting Broadcasting & Video Archive**

**News and Media Releases**

- Notice of 15 Day Public Comment Period and Public Meeting - Consolidated Annual Performance Evaluation Report (CAPER) - 7/27/2018
- Lane Closures to continue at Pope Avenue, New Orleans Road and Office Park Road from July 23 through August 3 - 7/23/2018
- Notice of Candidacy Filing Procedures - 7/16/2018
- Public Invited to Information Meetings Regarding One Cent Transportation Referendum Projects (U.S. 278 Gateway Corridor, US 21 and Multi-use Pathways) - 7/13/2018
- Josh Gruber Named Assistant Town Manager for Town of Hilton Head Island - 5/21/2018

**Recent Publications**

- Summer 2018 Edition of "Our Town" Newsletter
- Mayor Bennett's Monthly Article as seen in Celebrate Hilton Head Magazine - **Head On** - July 2018
- Mayor Bennett's Monthly Article as seen in The Hilton Head Sun -

**Town of Hilton Head Island Website**  
**July 30, 2018**  
**2017 CAPER Public Comment Period and Public Meeting Notice Page**



*Town of*  
**Hilton Head Island**  
*Beaufort County, South Carolina*

[Employment Opportunities](#)   [Topic Index](#)   [Contact Us](#)

 E-Subscription Service



[Home](#)   [Government](#)   [Online Services](#)   [Departments](#)   [Our Island](#)   [Public Safety](#)   [Publications](#)

## Public Notice

Text Size: A A A

### Notice of 15 Day Public Comment Period and Public Meeting - Consolidated Annual Performance Evaluation Report (CAPER)

**Release Date:** July 27, 2018

**Contact Information:**

[Marcy Benson](#) , Senior Grants Administrator, 843-341-4689

Notice is hereby given that the Town of Hilton Head Island has prepared a draft of its 2017 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning **Monday, August 6, 2018**. A public meeting to obtain comments on the 2017 CAPER will be held on **Wednesday, August 15, 2018 at 6:00pm** at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the CAPER will be available for review at the meeting and Monday - Friday 8:00am - 4:30pm at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at: <http://www.hiltonheadislandsc.gov/> beginning at 8:00am Monday, August 6, 2018. Written comments on the CAPER are encouraged and may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to [marcyb@hiltonheadislandsc.gov](mailto:marcyb@hiltonheadislandsc.gov). Comments will be accepted until **Tuesday, August 21, 2018**.

The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at 843-341-4689.

## Benson Marcy

---

**From:** Phillips Rene  
**Sent:** Monday, August 06, 2018 8:14 AM  
**To:** Benson Marcy  
**Subject:** FW: Courtesy Copy: Notice of 15 Day Public Comment Period and Public Meeting (CAPER)

*René Phillips, CIW, Website Administrator  
Town of Hilton Head Island  
One Town Center Court  
Hilton Head Island, SC 29928  
843-341-4792  
[www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov)*

---

**From:** Town of Hilton Head Island [mailto:updates@secure.hiltonheadislandsc.gov]  
**Sent:** Monday, August 06, 2018 8:14 AM  
**To:** Phillips Rene; Spinella Kelly; Grant Carolyn  
**Subject:** Courtesy Copy: Notice of 15 Day Public Comment Period and Public Meeting (CAPER)

**This is a courtesy copy of an email bulletin sent by Rene Phillips.**

**This bulletin was sent to the following groups of people:**

Subscribers of General Announcements or Legal Notices (4673 recipients)

---



### **Notice of 15 Day Public Comment Period and Public Meeting Consolidated Annual Performance Evaluation Report (CAPER)**

Notice is hereby given that the Town of Hilton Head Island has prepared a draft of its 2017 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning **Monday, August 6, 2018**. A public meeting to obtain comments on the 2017 CAPER will be held on Wednesday, August 15, 2018 at 6:00pm at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the CAPER will be available for review at the meeting and **Monday - Friday 8:00am - 4:30pm** at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at: <http://www.hiltonheadislandsc.gov/> beginning at 8:00am Monday, August 6, 2018. Written comments on the CAPER are encouraged and

may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to [marcyb@hiltonheadislandsc.gov](mailto:marcyb@hiltonheadislandsc.gov). Comments will be accepted until **Tuesday, August 21, 2018**.

The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at 843-341-4689.

*View the 2017 Consolidated Annual Performance Evaluation Report (CAPER) and submit a comment online at <https://services.hiltonheadislandsc.gov/publiccomment/>*



[www.hiltonheadislandsc.gov](http://www.hiltonheadislandsc.gov)

STAY CONNECTED:



Questions for the Town of Hilton Head Island? [Contact Us](#)

SUBSCRIBER SERVICES:

[Manage Preferences](#) | [Unsubscribe](#) | [Help](#)

**Town of Hilton Head Island Website – Main Page  
August 6, 2018 – Start of 15 Day Public Comment Period  
2017 CAPER Notice**

The screenshot shows the main page of the Town of Hilton Head Island website. At the top, there is a navigation bar with links for 'Government', 'Online Services', 'Departments', 'Our Island', 'Public Safety', and 'Publications'. A search bar is located on the right side of the header. The main content area is divided into several sections:

- How Do I...:** A sidebar menu with options like 'Apply for...', 'Contact...', 'Find...', 'Obtain...', 'Pay...', 'Participate...', 'Register...', 'Renew...', 'Report...', 'Schedule...', 'Subscribe to...', 'Submit a...', and 'View...'.
- Hilton Head Island Beach Parks:** A central video player with a play button and the text 'Hilton Head Island Beach Parks'.
- Hot Topics:** A section with two articles:
  - 2019 Accommodations Tax Grant Application:** A short article about the upcoming tax grant application.
  - The Breeze - Hilton Head Island's Trolley Service:** An article announcing the start of the trolley service.
  - Single-Use Plastic Bag Ban Starts November 1, 2018:** An article about the new ban on single-use plastic bags.
- Major Initiatives:** A list of ongoing projects such as 'Hilton Head Island - Our Future', 'Island Recreation Center Expansion', and 'Powerline Burial Project'.
- Right Side Widgets:** A vertical column of quick links including 'Town Council Key Priorities', 'Open Town Hall HHJ', 'CIP Dashboard', 'Financial Dashboard', 'Office of Cultural Affairs', 'Building & Development', 'Sustainability on Hilton Head Island', and 'Boards'.

This section of the website page contains several key elements:

- E-Subscription Service:** A form for users to sign up for alerts and updates. It includes fields for 'Email Address' and a 'Submit' button.
- Seasonal Safety Tips:** A yellow warning icon with the text 'Seasonal Safety Tips'.
- News and Media Releases:** A section listing recent news items:
  - Lights Out for Turtles:** A notice about turning off lights to protect sea turtles.
  - Are You Prepared for Hurricane Season?:** A reminder to prepare for the start of the hurricane season.
  - Preliminary Digital Flood Insurance Rate Maps:** A notice about new flood insurance maps for 2019.
  - Hilton Head Island - Our Future:** A notice about a public meeting to discuss future plans.
  - 2017 CAPER 15 Day Public Comment Period:** A notice regarding the annual performance evaluation report.
  - Public Information Meeting Regarding One Cent Transportation Referendum Projects:** A notice about a meeting on transportation projects.
  - Citizens Sought to Serve on Boards for the Town of Hilton Head Island:** A notice about board openings.
  - Town of Hilton Head Island's Office of Cultural Affairs Announces the Inaugural Opening of its Municipal Gallery:** A notice about a new gallery.
  - Town of Hilton Head Island Seeks Your Input for Phase II of the Hilton Head Island-Our Future Vision Project:** A notice about a vision project.
  - Final Pavement and Traffic Signal Work at Pope Avenue, New Orleans Road and Office Park Road from August 4 to August 11:** A notice about road work.
  - Town of Hilton Head Island Proceeding with Work on Cordillo Tennis Courts:** A notice about tennis court work.
  - Notice of 15 Day Public Comment Period and Public Meeting - Consolidated Annual Performance Evaluation Report (CAPER):** A notice about the annual report.
- Commissions Meeting Calendar:** A section listing upcoming meetings, including the 'Planning Commission's Comp Plan Committee' and 'Town Council Executive Session'.
- Meeting Broadcasting & Video Archive:** A link to view recorded meetings.

**Town of Hilton Head Island Website  
August 6, 2018 – Start of 15 Day Public Notice Comment Period  
2017 CAPER Notice Page with Document Linked for Comments**

The screenshot shows the website for the Town of Hilton Head Island, Beaufort County, South Carolina. The page features a navigation menu with links for Home, Employment Opportunities, Topic Index, and Contact Us. A search bar is located in the top right corner. The main content area is titled "Public Comment" and includes a "Submit Comment Online" button. The notice text reads: "Notice of 15 Day Public Comment Period and Public Meeting - Consolidated Annual Performance Evaluation Report (CAPER). Notice is hereby given that the Town of Hilton Head Island has prepared a draft of its 2017 Consolidated Annual Performance Evaluation Report (CAPER) required by the U.S. Department of Housing and Urban Development (HUD) to assess progress carrying out its one year action plan for the HUD funded Community Development Block Grant (CDBG) Entitlement Program. The CAPER will be available for review and comment for 15 days beginning Monday, August 6, 2018. A public meeting to obtain comments on the 2017 CAPER will be held on Wednesday, August 15, 2018 at 6:00pm at the Hilton Head Island Town Hall, Benjamin M. Racusin Council Chambers, 1 Town Center Court, Hilton Head Island, South Carolina. Copies of the CAPER will be available for review at the meeting and Monday - Friday 8:00am - 4:30pm at the Town of Hilton Head Island Town Hall, or may be accessed via the Town of Hilton Head Island website at: <http://www.hiltonheadislandsc.gov> beginning at 8:00am Monday, August 6, 2018. Written comments on the CAPER are encouraged and may be submitted by mail to Marcy Benson, Senior Grants Administrator, Town of Hilton Head Island Community Development Department, 1 Town Center Court, Hilton Head Island, SC 29928 or email to [marcyb@hiltonheadislandsc.gov](mailto:marcyb@hiltonheadislandsc.gov). Comments will be accepted until Tuesday, August 21, 2018. The Town of Hilton Head Island does not discriminate on the basis of age, color, religion, sex, national origin, familial status or disability in the admission or access to, or treatment or employment in its federally assisted programs or activities. Marcy Benson, Senior Grants Administrator has been designated to coordinate compliance with the nondiscrimination requirements contained in the U.S. Department of Housing and Urban Development's regulations. She may be reached at the email address listed above or by phone at 843-341-4689. 2017 Consolidated Annual Performance Evaluation Report (CAPER) [PDF icon]. Submit Comment Online

**TOWN OF HILTON HEAD ISLAND**

**2017 Consolidated Annual Performance Evaluation Report (CAPER)**

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
ENTITLEMENT PROGRAM**

**August 15, 2018 6:00PM**

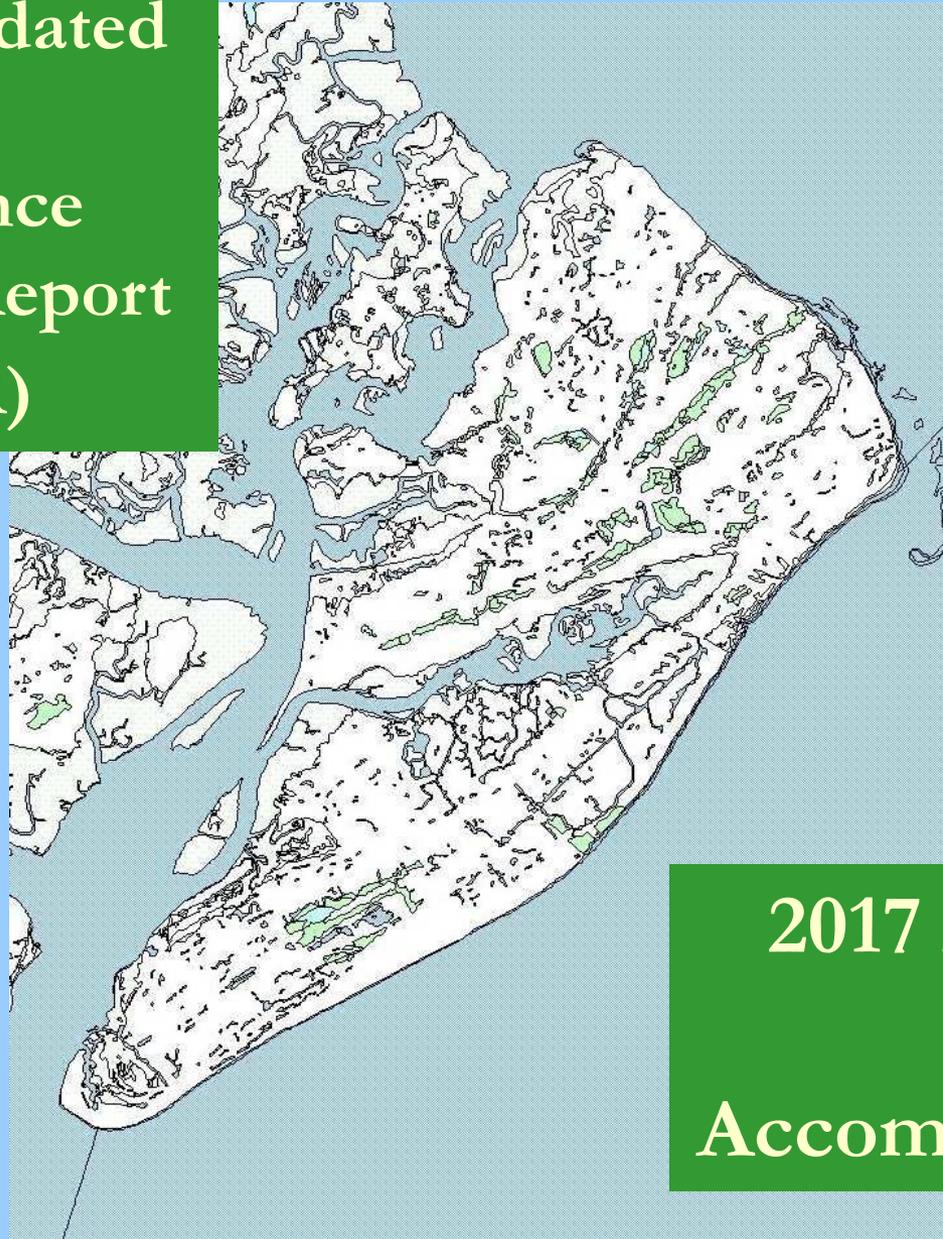
**AGENDA**

- Welcome and Sign-in
- CDBG Entitlement Program & CAPER Overview
- Proposed vs. Actual Outcomes
- Resources Available and Geographic Distribution
- Public Discussion
- Next Steps in CAPER Process

**2017 Consolidated  
Annual  
Performance  
Evaluation Report  
(CAPER)**

**TOWN OF  
HILTON  
HEAD  
ISLAND, SC**

**August 15, 2018  
PUBLIC  
MEETING**



**2017 Activities  
and  
Accomplishments**

# Community Development Block Grant Entitlement Program (CDBG)

- Federal grant program administered by the U.S. Department of Housing & Urban Development (HUD).
- Provides annual grants on a formula basis to entitled cities and counties based on population data from the U.S. Census Bureau.
- Funds are to be used to benefit low and moderate income persons based on HUD guidelines and U.S. Census data.

# 2017 Consolidated Annual Performance Evaluation Report (CAPER)

- Requirement of the CDBG Entitlement Program.
- Reports expenditures, accomplishments and progress towards achieving goals & objectives identified in the 2015-2019 Five Year Consolidated Plan and 2017 Annual Action Plan.
- Due annually 90 days after the close of the program year (September 28, 2018).

# Proposed vs. Actual Outcomes

Goal	Category	Source/ Amount	Indicator	Unit of Measure	Expected Strategic Plan	Actual Strategic Plan	Percent Complete	Expected Program Year	Actual Program Year	Percent Complete
Rhiner Drive Paving	Non-Housing Community Development	CDBG: \$196,123	Public Facility or Infrastructure Activities other than Low/ Moderate Income Housing Benefit	Persons Assisted	20	20	100%	20	20	100%
Cobia Court Paving	Non-Housing Community Development	CDBG: \$200,781	Public Facility or Infrastructure Activities other than Low/ Moderate Income Housing Benefit	Persons Assisted	37	0	0.00%	37	0	0.00%

# Resources Available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	HUD	\$200,781	\$1,028.25

# Geographic Distribution

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Census Tract 105	98	0	Funds for infrastructure improvements in Census Tract 105, which meets LMI requirements.
Census Tract 108	0	0	No CDBG funded projects were planned in Census Tract 108 for the 2017 program year.
Town-Wide	2	.5%	Funds for program administration costs which meet HUD requirements.

# What Will Be Done Next?

- Public comment period ends August 21, 2018.
- Comments will be summarized and included in the draft CAPER.
- The draft CAPER will be presented at the September 18<sup>th</sup> Town Council meeting.
- The final CAPER will be submitted to HUD by September 28, 2018.

~ Thank you for participating ~



**Public Meeting Minutes**  
**Public Meeting to Solicit Comments and Discuss**  
**Community Development Block Grant (CDBG) Entitlement Program**  
**2017 Consolidated Annual Performance Evaluation Report (CAPER)**

**Wednesday, August 15, 2018 6:00pm**  
**Benjamin M. Racusin, Council Chambers of the Town Hall**  
**1 Town Center Court, Town of Hilton Head Island**

**Present: No members of the public attended. See attached sign-in sheet.**

Marcy Benson, Senior Town Grants Administrator was present in the Benjamin M. Racusin, Council Chambers of the Town of Hilton Head Island Town Hall at the noticed 6pm meeting start time. A PowerPoint presentation was prepared and ready for presentation describing the Town of Hilton Head Island Community Development Block Grant (CDBG) 2017 Consolidated Annual Performance Evaluation Report (CAPER). Copies of the 2017 CAPER were available for distribution at the meeting and via the Town of Hilton Head Island website. No members of the public attended this public meeting.

Public Comment Summary  
For the Town of Hilton Head Island  
2017 Consolidated Annual Performance Evaluation Report  
(CAPER)

---

Public Comments Received During 15 Day Comment Period (August 6 – August 21, 2018):

No comments were received.

---

Public Comments Received at September 18, 2018 Town of Hilton Head Island CAPER Public Meeting:

---