BLUFFTON TOWN COUNCIL MEETING MINUTES
JULY 20, 2010

Mayor Sulka called the meeting to order at 6:00 p.m. Council members present were Brown, Hamilton, Mitchell and Raymond. Town Manager Barrett, Assistant Town Managers Freeman, Fletcher, Orlando, Chief McAllister and Attorney Mullen were also in attendance.

Pledge to the Flag and invocation was given by Councilman Hamilton.

Adoption of Agenda:
Raymond moved to adopt the agenda as presented. Brown seconded. The motion carried unanimously.

Adoption of Minutes:
Hamilton moved to adopt the minutes as presented. Raymond seconded. The motion carried unanimously.

Public Comments:
Bill Miles, Bluffton-Hilton Head Island Chamber of Commerce CEO, endorsed the proposed new Business License Incentive Program that will attract more businesses and economic development.
Anne Cooke, 37 Heyward Street, requested for Council to reconsider the yard debris pickup being discontinued. The Old Town residents are not being treated fairly due to the Town's growth.
Michael Lambuth, 4 Stonefield Lane, requested Council's support and endorsement for an Aquatic Center at Buckwalter Regional Park. It is needed for Bluffton student athletics and competitive swimmers.

Communications from Mayor and Council:
1) Mayor Sulka stated she attended the Municipal Association's Annual Meeting held in Charleston and said it was good to mingle with other town/city representatives.
2) Raymond stated that it is "sand bar" time and requested boaters to be responsible for their wakes. DNR and the Coast Guard will be patrolling.
3) Mitchell stated she also attended the Municipal Association's Annual Meeting and found it to be very informative, especially concerning the "Putting Your Best Foot Forward" toward communications session. Mayor Sulka stated the Town of Bluffton has its own Facebook that encourages communication.

Presentations, Recognitions and Celebrations:

a. Support of Operation F-35B MCAS Beaufort Resolution – Mayor Sulka stated the Town supports Operation F-35-B MCAS Beaufort and has attended a public session and presented the same resolution.
b. Recognition of Finance Department for the Certification of Achievement for Excellence in Financing Reporting (CAFR) – Mayor Sulka read and presented the plaque to Freeman and Greathouse. Freeman thanked her Staff and the support of Council.

Consent Agenda:

a. Staff Reports: Police, Administration/Finance, Engineering, Growth Management, and Human Resources
b. Resolution for Adoption of the Assessment District

Hamilton moved to accept the Consent Agenda as presented. Mitchell seconded. The motion carried unanimously.

Public Hearing; Final Reading; and Initial Master Plan:

a. Tulifinny Annexation – Final Reading
b. Tulifinny Zoning Map Amendment – Final Reading
c. Tulifinny Planned Unit Development (PUD) Initial Master Plan

Mayor Sulka opened the public hearing at 6:19 p.m.

Public Comments:

Sidney Holland, 25 Lake Lane, stated his concerns of whether or not his property will be forced to annex into the Town because Tulifinny abuts his property. If so, would he get the same benefits?

David Nash, 35 Fairway Drive, stated his property abuts Lake Lane and has concerns on being taxed on their road being paved and also forced to have a water management system. He also stated his concerns on the facility being used as an Adult Congregate Living Facility instead of for young troubled girls.

Ellen Bennett, 32 Grassy Lane, stated the atmosphere is good and wants it to remain that way. She is concerned with property going commercial in the future.

Tony Cartin, 32 Grassy Lane, stated her concerns on possible future commercial uses and property values.

Ralph Jackson, 60 Meadow Drive, stated his concerns on the road needing improvements, not additional traffic; being forced to be on city water/sewer; proposed uses of PUD; and the value of his property.

Tulifinny Public Hearing – Public Comments – Continued:
John Goble, 70 Meadow Drive, stated his concerns on a female juvenile half-way house next door to him; traffic has increased; and has changed their quality of life.
Andrea Malloy, Coastal Conservation League, stated her concerns on the timing of this annexation due to the protection of the May River. She requested Council to consider waiting until the Community Preservation District is completed.
Mayor Sulka stated the Town cannot force any resident to annex into the Town because of State laws. Also, their property remains in Beaufort County with paying only Beaufort County taxes.

Public Hearing closed at 6:35 p.m.

Rhodes gave an overview of the Tulifinny Planned Unit Development Initial Master Plan. Tulifinny representative Michael Kronimus was available for questions. The property consists of 43.31 acres. The applicant has requested Planned Unit Development (PUD) zoning. The Initial Master Plan (IMP) shows Phase 1 as the utilization of existing buildings and facilities. Phase 1 will not include any new development or a change in land uses. The IMP shows future development will only occur in the Phase 2 area. The PUD zoning will allow the Tulifinny Program the flexibility needed to operate their facility, while providing assurances to the Town and the facilities' neighbors that only land uses which are compatible to the surrounding community will be allowed on the property.
Mitchell moved to have final reading to approve and adopt the Tulifinny Annexation Ordinance. Raymond seconded. The motion carried unanimously.
Raymond moved to have final reading to approve and adopt the Tulifinny Zoning Map Amendment Ordinance with special provisions outlined on the Planned Unit Development Initial Master Plan motion. Brown seconded. The motion carried unanimously.
Hamilton moved to approve the Planned Unit Development Initial Master Plan with the following conditions: 1) Phase 1 can operate under the current business structure using the existing structure up to 32 occupants; 2) Phase 2 (future development) land use and density program will be determined upon a Planning Commission meeting and a Neighborhood meeting prior to Town Council review/approval, all which will be noticed via certified letters, for the purpose of defining and refining the land use and density; then 3) Town Council approval. Mitchell seconded. The motion carried unanimously.

Municipal Code Revision, Chapter 4, Animals – First Reading:
Chief McAllister stated that Beaufort County updated its animal ordinance to reflect changes in State Law as well as insert initiatives to lower the kill rate at the Animal Shelter. The Town shares jurisdiction over animal issues with Beaufort County and it is important that our ordinances remain compatible. He gave an overview of the proposed updated features such as the Trap-Neuter-Release. **Mitchell moved to have first reading on the Municipal Code Revision, Chapter 4, Animal, as presented. Hamilton seconded. The motion carried unanimously.**

Purchasing Ordinance Revisions – First Reading:
Fletcher stated the Local Preference Program will focus on the local taxpaying businesses and to allow the Town to implement more favorable businesses in Beaufort County. The revisions include a Local Preference Certification Program, Protest Procedures, Protest Review and Notice, and Assistance to Minority and Disadvantaged Businesses. **Raymond moved to have first reading on the Purchasing Ordinance Revisions. Raymond seconded. The motion carried unanimously.**

Town of Bluffton New Business Incentive Program – First Reading:
Barrett stated to advance the Town's Economic Development initiatives as outlined both in the Town of Bluffton Comprehensive Plan and 2010 Strategic Plan, Staff proposes to initiate a New Business License Incentive Program via a Business License Fee Cap and Fee Abatement strategy. The program is intended to attract and retain business opportunities that support regional industries. A cap of $25,000,000 (twenty-five million dollars) is extended to all businesses such that the annual gross receipts of any one business exceeding this cap are exempt from the business license rates. The qualifying new business shall receive the Business License Fee Abatement as follows: 1) One hundred percent (100%) for the first taxable year of operation or any portion thereof; 2) Sixty percent (60%) for the second taxable year of operation; 3) Thirty-three (33%) for the third taxable year of operation; and 4) No abatement will apply after the third taxable year of operation. **Raymond moved to have first reading on the Town of Bluffton New Business Incentive Program as presented. Mitchell seconded. The motion carried unanimously.**

Resolution to Establish Town of Bluffton Negotiating Committee:
Orlando stated the Development Agreement Negotiating Committee was disbanded in December 2008 providing an opportunity to establish a new Committee. The role of the Negotiating Committee will be to coordinate and negotiate on behalf of the Town with applicants, property owners and their representatives to define proposals, terms and commitments related to annexation petitions, Development Agreements and subsequent modifications. The membership consists of the following: 1) Town of Bluffton Mayor; 2) Town of Bluffton Mayor Pro Tempore; 3) Town of Bluffton Planning Commission Chair; 4) Beaufort County Chair or designee; and 5) Two Town of Bluffton citizens appointed by Town Council. The Committee will be supported by non-voting members of Town Staff including the Town Manager, Town Attorney, Assistant Town Managers, and others as necessary. **Brown moved to adopt the Resolution that establishes the Town of Bluffton Negotiating Committee. Mitchell seconded. The motion carried unanimously.**

Resolution to Amend the Town of Bluffton Stormwater Design Manual:
Carmack stated the amended Stormwater Design Manual would include methodologies and recommended approaches for implementing volume-oriented Best Management Practices (BMP's), hereafter known as Appendix A. Appendix A will serve as a guidance document for engineers, planners, and Town Staff providing valuable direction for calculating and quantifying volume-oriented Best Management Practices. Raymond recommended the "trees are the key" program to assist with stormwater initiatives. **Brown moved to adopt the Resolution to amend the Town of Bluffton Stormwater Design Manual and amended by Raymond to include trees as a part of the manual. Mitchell seconded. The motion carried unanimously.**

Transportation Update:
Jarrett stated Staff has worked closely with the County and the State on several of the following projects: 1) Ongoing construction of Simmonsville and SC 46; 2) Bluffton Parkway Phase 5A; 3) US 278 including water quality; 4) SC 170 Right-of-Way and drainage; 5) Dirt road paving and secondary road overlays; 6) Buckwalter Commercial Frontage road; and 7) Attended SCDOT Commission meeting on June 17, 2010.

Rotary Community Center Improvement Committee:
Fletcher stated Council authorized Staff to work with Rotary representatives to develop a statement of purpose and operating protocol for establishing a Committee comprised of Town of Bluffton and Bluffton Rotary Club members for the purpose of raising funds for and implementing capital improvements for the Rotary Community Center. The Committee would consist of three (3) appointees selected by The Bluffton Community Center Foundation. Inc. and two (2) appointees selected by Town Council; in addition, two members of Town Staff will serve as Ex-Officio members with no voting powers. **Brown moved to appoint Council members Raymond and Mitchell to the Rotary Community Center Improvement Committee. Mitchell seconded. The motion carried unanimously.**

Public Safety Committee:
Chief McAllister stated the Public Safety Committee was disbanded in 2008. There is interest in reestablishing the Committee. After extensive research, he recommends Council reform the Committee. The new Committee would have specific representation numbers, a defined mission statement, and clear direction and do's and don'ts. The possible representation areas are as follows: 1) One member from Historic District (Old Town); 2) One member from Buck Island and Simmonsville area; 3) One member from Buckwalter area; 4) One member from Hwy. 170/New Riverside Area; 5) One member from Shults/Goethe Roads area (Hamilton's recommendation); and 6) One member at-large. **Brown moved to approve the Public Safety Committee's mission statement and path forward as well as the recommended areas for membership. Hamilton seconded. The motion carried unanimously.**

Town Manager's Report:
Manager Barrett reported on the following matters:

- Town had hosted a meeting with representatives from DNR, Beaufort County, and BJWSA to discuss creating a multi jurisdictional agency task force with the goal of eliminating septic tanks in the May River Watershed.
- He had attended the Operation F-35B Support meeting in Beaufort.
- Town's first bond rating was achieved through the great work of the Finance team, Bond Counsel, Financial Advisor and being able to tell our story to the Bond Rating Agency in New York.

Town Manager's Report – Continued:

- Strategic Planning Session held at Bluffton High School is undergoing final review and will soon be available to the public for review.
- Growth Management and Engineering are meeting quarterly as a "Think Tank" for the May River Watershed.

Public Comments:
There were none.

Executive Session:

a. Legal Advice related to Certain Right-of-Ways in Town of Bluffton
b. Contractual matters Related to Town Owned Property Now Occupied by Bluffton Self Help
c. Committee, Commission and Board Appointments

Hamilton moved for Council to go into Executive Session. Brown seconded. The motion carried unanimously. Council entered into Executive Session at 8:20 p.m.

Action from the Result of Executive Session:
Mayor Sulka called the meeting back to order at 9:34 p.m. and announced no votes were taken.

Raymond moved to reappoint Daniel Keefer, Michael Palermo and Bill Roe to the Zoning Board of Appeals. Mitchell seconded. The motion carried unanimously.

Hamilton moved to reestablish the Town of Bluffton Negotiating Committee with the following members: 1) Dee Anderson, 2) Terry Hannock, 3) Mayor, 4) Mayor Pro Tempore, 5) Planning Commission Chairman, and 6) Beaufort County Chairman or designee. Raymond seconded. The motion carried unanimously.

Meeting adjourned at 9:35 p.m.