

**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
May 4, 2010; 2:00PM**

**MINUTES**

- I. Call to Order: Mayor Wert called the meeting to order at 2:00pm.**
- II. Pledge of Allegiance:**
- III. FOIA:** Notice of this meeting has been published and posted in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.

**IV. Roll Call:**

**Present:** William G. Wert, Mayor  
Alan L. Burnaford, Mayor Pro Tem  
Charles R. Lipuma  
G. Steven Orban  
Harry H. McHugh

**Also Present:** Dennis Rhoad, Town Attorney  
Tumiko Rucker, Town Administrator  
Catherine Wilson, Town Clerk

**Mayor Wert held a moment of silence for the loss Sid Williams, Jr. and Earl Carrara, two longtime Kiawah residents that passed away within the prior week. Mayor Wert stated that they were both very involved with the Community.**

- V. Approval of Minutes:**
  - A. Town Council Meeting Minutes for May 4, 2010**  
Mr. Orban motioned to approve the minutes. Mr. Lipuma seconded the motion. The motion carried unanimously.
- VI. Old Business:**

**None**
- VII. New Business:**
  - A. First Reading Ordinance 2010-3 FY2010/2011 Budget**  
Mayor Wert stated that there was a public hearing held just before the Town Council meeting and there was one comment made. He explained that if the current Town budget, as of July 1, has surplus funds, the Council will meet and proportion funding to charitable organizations. No contributions will be made to the Town's reserve. Mr. Orban stated that in the past, there was \$100,000 budgeted for charitable giving and asked if the excess exceeds \$100,000 if

donations will also exceed \$100,000. Mayor Wert stated that the Council will review that question in the future.

**Mr. Lipuma motioned to approve the first reading of Ordinance 2010-3. Mr. Orban seconded the motion. Mr. Orban stated that the Ways and Means committee reviewed the budget quite thoroughly and recommended approval to Town Council. Mayor Wert stated at the Ways and Means committee the projection budget was an annualized computation and that Council requested that the projection be presented as an actual projection based from previous year budgets. He also stated that \$30,000 was cut from the aerial funding budget. After discussion, the motion carried unanimously.**

#### **B. Kiawah Bridge Revetment Proposal**

Mr. Orban stated that there has been significant erosion of the bank near the Kiawah Bridge and it is nearing the guardrail. He stated that it is not an emergency condition but it needs work soon. He stated that he requested proposals from two engineering firms. Thomas and Hutton and Collins Engineers submitted proposals. He stated that Collins Engineering does good work and their bid was significantly lower than Thomas and Hutton. Collins Engineers proposed two prices: 1) \$9,500 if the existing DHEC-OCRM permit can be used and, 2) An additional \$12,500 if the existing permit cannot be used. Mr. Orban stated that he believes the current permit is good for five years and if not, the Mayor has the authority to declare the situation an emergency.

**Mr. Orban motioned to approve the Collins Engineering proposal in an amount not to exceed \$22,000. Mr. Burnaford seconded the motion. Mr. Lipuma motioned to amend the motion to \$25,000. Mr. Burnaford seconded the motion. The motion to amend carried unanimously. The Mayor called for a question on the original motion with the change to \$25,000. The motion carried unanimously.**

#### **C. Beach Solid Waste Removal Agreement**

Mrs. Rucker stated that the Ways and Means committee recommended approval of the Beach Debris Contract to Carolina Waste. Staff and the Ways and Means Committee determined that the lowest responsive bidder was Carolina Waste. Mrs. Rucker stated the amount of the contract is \$40,500 annually for two years beginning July 1, 2010.

**Mr. Burnaford motioned to award the Beach Solid Waste Removal Contract to Carolina Waste. Mr. Orban seconded the motion. The motion carried unanimously.**

## **VIII. Committee Reports:**

### **Arts Council**

Mr. Lipuma stated that April events included a Jazz performance by Tommy Gill at Turtle, a violin and piano recital by Lee Chin Siow and Enrique Graf at Church of Our Savior, and Piccolo Preview at Holy Spirit Church. The Arts Council had funds available and added two piano bar encore performances that will take place at the Sandcastle in May. Our last event is the Zydeco Sundown Festival held in conjunction with the Resort at Night Heron Park on June 30.

On April 23 the Town sponsored *Peter and the Wolf* at Angel Oak and Haut Gap schools. The performances were very well received by the children and the school principals. He read a letter of thanks from Jane Riley, the Executive Director of Community and Schools in Charleston County. The same letter was printed in the Post and Courier on May 4, 2010. He stated that with the schools' budget being cut, they really appreciate events being brought before the children and that it was a good deed on behalf of the Town for the community.

### **Parkway Project**

No Report

### **Public Safety**

Mr. Orban stated that there was a Public Safety Committee Meeting on April 20, 2010. Bike path code enforcement was discussed and in Town Notes a few "rules of the road" concerning bike paths will be printed. They also talked about the CERT program, a joint project with the Community Association, led by Joe Croughwell and Kathy Heikes. CERT members will undergo training from the County this summer. The Town made a contribution to help support the initiative and the Resort is also helping fund by providing in-kind services. The River Course fire investigation continues and all are awaiting an independent report from the North Charleston Fire Investigator. Beach patrol performance was reviewed and service is more than adequate. The annual beach meeting is coming up shortly where all involved in beach service will go over procedures on the beach in the event of an emergency. He also attended the KICA safety committee meeting and dogs on the beach were discussed at length. He was asked if the Town Council would entertain a change in the regulations. He asked the KICA Committee to submit a request to the Town to review the current dog regulations on the beach.

### **Environmental**

Mr. McHugh stated that there are currently 190 people that volunteer for the Turtle Patrol. The Town continues to monitor the effectiveness of the

recycling program that is currently showing an increase of about 10% in recycling volume. He stated that he is a strong proponent for Kiawah reaching out into the community and that children from Haut Gap attended a wildlife exhibit on Kiawah and transportation was sponsored by the Town.

### **Johns Island Roads**

Mr. Burnaford stated that the Johns Island roads and Greenway project seems to have slowed a bit because the report has not been released from LPA Group. The Boeing plant issue has also stirred attention from the Greenway and onto roads closer to the plant. Paul Roberts is now 100% on the roads project.

### **Gulf Oil Spill**

The oil spill in the Gulf may affect the beaches of Kiawah. If currents flow through the Gulf and up the eastern coast of the U.S. continues, there is a possibility of oil reaching South Carolina's beaches. Mr. Burnaford stated that this could be a disaster for Kiawah's coast. He stated that there is oil in the water that does not reach the surface but it is still flowing in the water. He stated that the Town will work with the County and the County will work directly with the State if oil becomes an issue.

Mayor Wert stated that this would become a Federal issue and should not affect the State, County or Town budget.

Mr. Orban stated that the present law only makes BP responsible for \$75,000,000 for compensatory damages.

## **IX. Town Administrator's Report**

Mrs. Rucker thanked residents for volunteering during the annual Beachwalker Drive, Parkway and Bike path cleanup. She also thanked the Resort for having kayaks available and assisting in the cleanup of the marsh. Mrs. Rucker reminded those present that on June 10 the Town will hold the annual disaster awareness day event and will again be partnering with the Town of Seabrook. The event will focus on other disasters than hurricanes. The Town will be meeting with the rental community and agencies to talk about the dissemination of all recycling printed materials and currently tri-folds, magnets and door hangers have been distributed in most units. Mrs. Rucker stated that three benches will be placed along the bike path with the help of the Environmental Committee.

## **X. Mayor's Report**

Mayor Wert stated that the disaster awareness day on June 10 is important to attend. He stated that the Turtle Patrol begins next week. The Town is working with DHEC and the County to expedite the removal of the River Course Clubhouse debris. The Town is looking forward to getting the recommendations from the KICA dog leash committee. The Town hosted a

lunch celebration for the dedication of the Parkway and Bike Path. Mayor Wert presented Mr. Orban with a plaque for his work on the bike path.

**XI. Citizen Comments:**

**A. Butch Neal, 1518 Royal Colony Road Johns Island**

Mr. Neal stated that he has had several phone calls from Gulf Coast beach concessioners about placing their workers on the east coast. The hotel association has met and they are having cancellations by the hundreds all ready. He stated that while this will help the east coast, it will hurt those on the Gulf.

**B. Wendy Kulick, 38 Marsh Edge Lane**

Mrs. Kulick stated that she thinks it is great that the Town will donate excess funds to local charities. The Resort sponsored school groups during the past month and she congratulated the Resort for their efforts with the area schools.

**XII. Council Member Comments:**

**Mr. Burnaford,**

None

**Mr. McHugh,**

Mr. McHugh stated explained that the 3% Cost of Living and a 3% Merit are budgeted for half of the budget year because they do not go into affect until January 1. Mr. McHugh stated that he had questioned the cost of computers during the Budget Workshop and that since that meeting, he went to Dell's website and computers do cost almost \$2,000 per computer when you add the warranties and software.

**Mr. Orban,**

Mr. Orban stated that when he first began the solid waste program budget was \$500,000 and now that cost is close to \$1 Million. He stated that it should be noted that this is no small undertaking by the Town.

**Mr. Lipuma,**

Mr. Lipuma stated that so much good is done by the people of Kiawah and Seabrook and so little credit is given for the volunteerism. He stated that fortunately the Town has Kristen Hackler that does a great job of writing fair articles about the Town. He stated that the Post and Courier could "care less."

Mayor Wert noted that the Town has had several meetings with the Post and Courier attempting to try to get a more positive spin on the Town but those meetings were to no avail.

Mrs. Rucker thanked Mr. Lipuma for walking the bike path to help point out the locations of the benches on the parkway.

**XIII. Executive Session:**  
Mayor Wert adjourned the meeting at 2:41pm to enter into executive session.

No votes or actions were taken during executive session.

**XIV. Open Session:**  
The Committee entered into open session at 3:34pm.

**XV. Adjournment:**  
The meeting adjourned at meeting at 3:34pm.

Submitted by,

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Catherine Wilson, Town Clerk

Approved by,

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William G. Wert, Mayor

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Date