

**TOWN COUNCIL MEETING
KIAWAH ISLAND MUNICIPAL CENTER
COUNCIL CHAMBERS
JUNE 7, 2011; 2:00PM**

Minutes

- I. Call to Order: Mayor Orban 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: G. Steven Orban, Mayor
Alan L. Burnaford
Charles R. Lipuma
Greg A. VanDerwerker
Fran Wermuth

Also Present: Tumiko Rucker, Town Administrator
Dennis Rhoad, Town Attorney
Lakesha Shannon, Town Clerk

- V. Approval of Minutes:**
 - A. May 3, 2011 Public Hearing on FY 2011-2012 Budget**
Dr. VanDerwerker motioned to approve the minutes of the May 3, 2011 Public Hearing on the FY 2011-2012 Budget. The motion was seconded by Mr. Burnaford and passed unanimously.
 - B. May 3, 2011 Public Hearing on Ordinance 2011-02**
Dr. VanDerwerker motioned to approve the minutes of the May 3, 2011 Public Hearing on Ordinance 2011-02. The motion was seconded by Mr. Burnaford and passed unanimously.
 - C. Town Council Meeting Minutes of May 3, 2011**
Mr. Lipuma motioned to approve the minutes of the May 3, 2011 Town Council meeting. The motion was seconded by Dr. VanDerwerker. The minutes of the May 3, 2011 Town Council meeting were unanimously approved as amended.

Mrs. Wermuth commented that as chairman of the Public Safety Committee, she requested to amend the agenda to add discussion on the following two items: 1.) The addition of a new member to the Public Safety Committee; 2.)

The role of the Public Safety Committee Chairman in the upcoming Kiawah Emergency Committee meeting, and the inclusion of the CERT Team Leader in the same meeting.

Mayor Orban stated that he previously spoke with Mrs. Wermuth regarding those items and did not recommend that they be added to the agenda. He suggested that Council vote on whether or not these items should be added to the agenda.

Mrs. Wermuth motioned to add the following two items to the agenda: 1.) The addition of a new member to the Public Safety Committee; 2.) The role of the Public Safety Committee Chairman in the upcoming Kiawah Emergency Committee meeting, and the inclusion of the CERT Team Leader in the same meeting.

Mrs. Wermuth explained that there are currently 6 members on the Public Safety Committee and a 7th member can be appointed according to the Town's website.

Dr. VanDerwerker asked Mr. Rhoad if an amendment to the agenda would require a majority or unanimous vote. Mr. Rhoad responded that he would have to refer to the Municipal Code, but according to his recollection, the vote would require a majority.

The motion was seconded by Dr. VanDerwerker.

Mrs. Wermuth explained that there are 7 members on the Public Safety Committee, which excludes the Chairman. She noted that this request is in line with other committees such as the Arts Council and the Environmental Committee.

Mayor Orban stated that the Public Safety Committee charter calls for 4-7 members and the current Public Safety Committee has 7 members, including the chairman. He further stated that there are other interested parties such as the Fire Chief and Sheriff who are part of the committee. He stated that the committee is large enough to operate efficiently.

Mrs. Wermuth stated that the committee is allowed 7 members excluding the chairman. She further stated that the interested parties referenced by the Mayor are non-voting members who are chosen by their respective organizations to attend.

Following discussion, Mrs. Wermuth and Dr. VanDerwerker voted in favor of adding the two additional items to the agenda. Mayor Orban, Mr. Burnaford and Mr. Lipuma voted no. The motion failed 3-2.

VI. Citizens' Presentations or Comments:

Mayor Orban stated that all citizen comments should be limited to 3 minutes and each person can only comment in one area of the public comment section of the agenda.

Richard Thomas, 4360 Betsy Kerrison Pkwy, Johns Island

Mr. Thomas stated that he submitted several FOIA requests to the Town; however he has not received a copy of Maurice Washington's contract. He stated that the Town has taken the position that the contract belongs to KICA, a private organization, and is not the Town's contract to provide. He commented that KICA became a public body under this particular matter when funding was accepted from the Town and Seabrook Island. He requested a copy of the contract, and further stated that Mrs. Wermuth submitted a copy of the draft contract for the record at the February 1st Ways and Means Committee meeting. Mr. Thomas commented that Mr. Rhoad stated in his last letter that Paul Roberts acted as an unpaid consultant for the Town from April 6, 2010 until February 1, 2011; however the Town's agreement with Mr. Roberts states that was paid \$1 for his services. He stated that Mr. Roberts resignation letter also states that he was unpaid. He stated that Mr. Roberts' emails are a matter of public record, and he requested a copy of the emails. Mr. Thomas commented that Mr. Washington was specifically hired per Mr. Roberts to target the black community on Johns Island. He stated that he has been visiting black churches and telling them untruths about road plans on Johns Island. Mr. Thomas stated that this is shameful and described the behavior as racial politics. Mr. Thomas requested that Council reconsider the use of the residents on Johns Island as a means to promote a scheme before they vote on the resolution on the agenda. Mr. Thomas submitted a letter for Mrs. Rucker which reiterated his request for additional information, which highlights some particular elements of the law and what the next steps will be in regards to that should the information not be forthcoming.

VII. Old Business

A. Second Reading of Ordinance 2011-03 FY 2011-2012 Budget

Mr. Lipuma motioned to approve second reading of Ordinance 2011-03 FY 2011-2012 Budget. The motion was seconded by Dr. VanDerwerker.

Dr. VanDerwerker requested to know if any problems would be caused by the \$15,200 amount recommended by Ways and Means Committee for Directors and Officers Insurance since the quote was actually higher. Mr. Gunnells stated that the \$15,000 in the budget is for next fiscal year and the \$15,200 approved by the Ways and Means Committee will be paid out in the current fiscal year.

Dr. VanDerwerker also commented on a section of the Agreement for Use of Accommodations Tax Funds which references Assessment and defines

tourism. He requested to know if the Town should clarify the language in this section since the State ATAX defines a tourist as someone from 50 miles away. Mr. Rhoad suggested adding the language “as defined by the State ATAX Expenditure Review Committee and as included in Exhibit A” to this section.

Following discussion, Council voted unanimously to approve second reading of Ordinance 2011-03 FY 2011-2012 Budget.

VIII. New Business:

A. Liollo Architecture – Municipal Center Engineering Update

Mayor Orban stated that Liollo Architecture, which was the original architects of the Municipal Center, has been hired to review what is needed to make the building ADA compliant. Dr. VanDerwerker provided an update of his meetings with Liollo Architecture and stated that sketches are being reviewed. He stated that separate pricing packages were requested for options such as automatic door openers and a canopy over the front entrance; however, Ms. Liollo has had trouble gathering the requested pricing data but it should be available by the end of the week. Dr. VanDerwerker stated that information should be available for the June 28th Ways and Means meeting.

B. Charitable Contributions Policy

Dr. VanDerwerker explained the previous process of completing the Charitable Contribution Request Application and stated that the application was revised to be more appropriate for this type request. Mr. Lipuma added that the language in the Charitable Contribution Policy was also amended and is no longer a draft.

Mayor Orban motioned to approve the Charitable Contribution Application format as presented and the draft of the Town of Kiawah Community Outreach Policy as revised. The motion was seconded by Mr. Lipuma, and carried unanimously.

Dr. VanDerwerker thanked Mr. Lipuma for reworking the language on the draft policy.

C. Janitorial Contract Renewal Request

Mr. Lipuma stated that the Ways and Means Committee reviewed the renewal request from Perkins Cleaning Service which includes a provision for increase based on the most recent cost of living adjustment of 3.9%. The request will increase the contract by \$1,092 from the \$25,000 base fee, plus an additional \$3,000 for carpet cleaning. He stated that the Ways and Means Committee recommended seeking competitive bids for the cleaning service. Mayor Orban requested that Mr. Lipuma and Mrs. Rucker prepare a proposal for bids, as the current contract expires June 30, 2011.

D. Addendum to the Land Lease Agreement for Orange Hill Plantation

Mayor Orban explained that the Town has an agreement with Kiawah Development Partners to use a twenty acre piece of land on Orange Hill Plantation for collection and grinding of hurricane debris. He stated that KICA will also need a location to dispose of debris and has requested to be part of the agreement. The addendum, which has been approved by the Town Attorney, will allow KICA the use of the property.

Mayor Orban motioned to approve the Addendum to the Land Lease Agreement and allow KICA to use the property for debris disposal in the event of a hurricane. The motion was seconded by Mr. Burnaford, and carried unanimously.

Dr. VanDerwerker requested to know if the Town would continue to look for a closer site. Mayor Orban responded that other sites are currently being reviewed.

E. Directors and Officers Insurance

Mr. Lipuma stated that the Town has been searching for Officers and Directors Insurance for several months after learning that they are not completely covered under certain conditions. He stated that staff obtained quotes through Wells Fargo from Chartis Insurance, Hiscox and Ironshore. The quotes were for \$1 million, \$2 million and \$3 million. Ironshore provided a quote for \$5 million; however, they had the highest annual premium. Staff requested that Chartis Insurance provide a quote for \$5 million and a quote was received with an annual premium of \$15,073. Mr. Lipuma stated that the Mayor has suggested that the Town Attorney review the language of the policy to ensure complete coverage.

Mayor Orban motioned to approve the purchase of the policy from Chartis Insurance at \$15,073 with a maximum limit of \$5 million upon review and approval from Mr. Rhoad. The motion was seconded by Mr. Lipuma.

Mr. Lipuma stated that the policy will become effective as soon as it is implemented.

The motion passed 4-1 with Mrs. Wermuth voting no.

Mrs. Wermuth commented that bids should have been sought from two additional brokers and not just one broker with several companies. She also commented that the coverage should not have increased from \$0 to \$5 million, because that amount is more likely to encourage lawsuits rather than discourage them.

F. I-526 Resolution 2011-02

Mayor Orban commented that last year, the previous Council endorsed a resolution in support of I-526; however, some members of the new Council have suggested taking another vote to determine the member's support for the resolution. Mayor Orban read into the record Resolution 2011-02, in support of I-526.

Mr. Burnaford motioned to approve Resolution 2011-2. The motion was seconded by Mr. Lipuma.

Mrs. Wermuth commented on the definition of a resolution as referenced on the Town's website which states that a resolution is defined as a less formal way to pass a motion and has no binding power. She stated that the Council does business by ordinance and not by resolution. She further stated that a resolution does not have to have a hearing and requires no written record other than notations in the minutes. She stated that a resolution is different from the voting procedure required for an ordinance which goes through first and second readings and a public hearing.

Dr. VanDerwerker commented that I-526 will not serve as a hurricane evacuation route because Johns and Wadmalaw Islands cannot use it; however James Island could if the winds are not high enough to prevent the bridge from being closed. He also commented that environmental damage would be extreme and noted that US Fish and Wildlife Service, the US Environmental Protection Administration and the SC Department of Natural Resources all submitted comments during the public comment session opposing I-526 because of the damage that would occur to the environment. Dr. VanDerwerker stated that the State Transportation Infrastructure Bank has reserved up to \$420 million for the construction of the road to include the purchase of the land. The contract signed by the County requires them to be responsible for anything above the \$420 million. The estimate given during the draft Environmental Impact Statement for the road, Alternative G, is \$489 million which would leave a significant debt for the County. The draft Environmental Impact Statement shows that the average daily commute for West Ashley and James Island would be reduced by 36 seconds; the commute for Johns Island would be reduced by 4.6 minutes.

Mayor Orban commented that I-526 was designed as a peripheral ring road and the value of the roadway until that section is completed as it relates to handling traffic in or around greater Charleston. He stated that this road would also provide an alternate evacuation route. Mayor Orban stated that I-526 provides a potential economic benefit for the citizens of Johns and Wadmalaw Islands to travel to their jobs with greater ease. Mayor Orban commented that he supports the project and hopes that the County Council will move ahead.

Mr. Burnaford commented that he also supports the I-526 project. He stated that there have been 5 studies done on I-526 over the past 15 years by LPA, an independent group. He stated that County Council signed a contract with the State Transportation Infrastructure Bank and the only way to get out of the contract would be not to build. The County Council voted on the no build option and found out they would have to repay the \$11 million which was spent on land acquisition, etc. He stated that I-526 along with the Greenway begins to address a safety issue as well as a transportation issue. He noted that there are 11,000 employees that come to work on the Islands and the congestion and accidents that have occurred on Bohicket and River Roads have caused these roads to be named as the fourth most dangerous roads in South Carolina. He stated that the Town has the responsibility not only to its constituents, but also to the employees. He stated that the residents of Kiawah and Seabrook are less than 10% of the people who travel these roads. He stated that the alternative is "Fix Our Roads First" and he has never seen an independent study done other than a few results from fixing intersections. Mr. Burnaford commented that Mayor Riley and Mayor Summey spoke in favor of completing I-526 at the last County Council meeting, and he too supports the project and feels that it is needed.

Mr. Lipuma commented on Mayor Riley's presentation to County Council which highlighted a number of gridlock points and compared current traffic patterns to the future. He commented that addressing the gridlocks 15 years from now will be more expensive. He further commented that I-526 is 75% complete and he supports the completion of it.

Dr. VanDerwerker thanked Council for providing him with the opportunity to officially vote on I-526.

The motion passed 3-2 with Mayor Orban, Mr. Burnaford and Mr. Lipuma voting affirmative. Dr. VanDerwerker and Mrs. Wermuth voted no.

G. Greenway Resolution 2011-03

Mr. Burnaford motioned to approve the Greenway Resolution. The motion was seconded by Mr. Lipuma.

Mayor Orban read into the record, Greenway Resolution 2011-03. Mr. Burnaford commented that the connection for I-526 is also critical to the Greenway. He stated that there has not been a new road built on Johns Island in 30 years, only the widening of Bohicket Road 19 years ago which is now Betsy Kerrison Parkway. He noted that Johns Island's population has increased 23% over the last seven years according to the last Census, and according to the BCDCOG, the population will increase up to 32% by 2020.

He stated that the Greenway has a smaller impact on Johns Island than the future widening of Bohicket Road and River Road.

Mrs. Wermuth commented on behalf of residents who have contacted her to request a referendum on this issue. She stated that there has not been as much openness as needed regarding this issue, and she is voting no because there is no clear mandate that this is what should be done. Mrs. Wermuth stated that the County states that there are so many people that support this project, yet there is nothing to back that statement.

Mr. Lipuma commented that he was on one of the first committees to review the road situation, and the decision was to build a cross island road. He stated that a referendum was done and about 52% of the people voted in support of a cross island road.

Mrs. Wermuth stated that she is interested in obtaining information from the referendum. Mr. Lipuma stated that public workshops were held at Johns Island High School by Department of Transportation consultants and forms completed by the attendees showed 52% were in support. Mrs. Wermuth commented on the results from a public workshop at the Johns Island Library which stated that 100% of the Kiawah members present were in favor of the roads; however, there were only nine Kiawah members present. She stated that a formal referendum would clear up the issue.

Dr. VanDerwerker commented that the Greenway issue is less clear to him than the issue of I-526. He stated that there have been various iterations of the road which makes the situation very confusing. He stated that one iteration presented by Dr. Roberts about two years ago showed the Greenway being a two lane road; however, it is now shown as a four lane road. He also commented on an article in the Island Connection on February 3, 2010 which reported Dr. Roberts making a presentation at Johns Island Woods which described the road as being a 10.6 miles, 300 ft. wide, two lane road connecting River Road to Betsy Kerrison Parkway with extra space allowed if future widening is needed. Dr. VanDerwerker stated that the latest LPA study presented to County Council described the road as four lanes, yet County Council charged LPA to only look at a two lane road. He stated that the figures that were created to study a two lane road are currently being used to study a four lane road. He stated that during the public workshop on December 7, 2009, there were 468 comments received regarding the latest iteration. Of those comments about half were from Kiawah and Seabrook residents, with 85.7% in favor and 14.3% against the project. Johns Island and "other" or "no location identified" represented the other half of the comments with those specifically from Johns Island voting 60.6% against. The unidentified half voted against the Greenway project by 75%. Dr. VanDerwerker noted that two-thirds of the people who were not from Kiawah and Seabrook voted against the roads.

Mayor Orban commented that a public official's job is to look ahead and stated that he supports the road. He explained that the time to build a road is now because the number of dwelling units on Kiawah and Johns Islands will grow.

The motion passed 3-2 with Mayor Orban, Mr. Burnaford and Mr. Lipuma voting affirmative. Dr. VanDerwerker and Mrs. Wermuth voted no.

H. Emergency Vehicle Access Roads

Mayor Orban stated that there are five emergency access roads that provide access from the closest roadway to the beach in case of an emergency. Mrs. Wermuth stated that at the April 19th Public Safety Committee meeting, a suggestion was made to ban pedestrian traffic on the existing emergency vehicular access roads. Some problems were identified that suggested that pedestrian access be banned to keep the roads open for the Beach Patrol and emergency vehicles. She stated that Committee members Mr. Waltman and Mr. Sula provided recommendations after reviewing the access areas. They felt that it is not necessary to completely close the access areas. They recommended increasing the maintenance on the roads to avoid some of the visibility issues and provided a periodic schedule for increasing the pruning and grading the access. It was also recommended that organizations notify the Town when they will be taking groups down the access roads such as Beachwalker Park so that that Beach Patrol and others operating vehicles on the beach can be informed. It was recommended to have Beach Patrol use the orange cones at the foot of the access on the beach to prevent people from setting up in that area. The subcommittee recommends increasing the maintenance of the access roads and changing signage in some areas such as the access point near the Sanctuary which is used mainly by Resort guests and gets clogged by delivery vehicles.

Mayor Orban commented that access roads were usually regraded once or twice a year as needed. He requested that staff obtain a contractor to regrade the access roads and add some stone if necessary. Mayor Orban stated that he spoke with Roger Warren who has agreed to split the cost of paving part of the Sanctuary beach access with asphalt. Mayor Orban stated that he will also contact Mr. Warren to discuss straightening the road.

The Council discussed options other than placing orange cones at the foot of the access roads on the beach to prevent people from setting up in those areas. Mr. Lipuma requested to know if the Town has the right and the obligation to do this work because different areas of property are owned by other entities. Mrs. Wermuth commented that the Sanctuary and the Ocean Course are taken care of by the individual property owner; however, she is not sure about the Beach Club. Mrs. Wermuth stated that in regards to the cones, the area that is

most problematic is the access road near Beachwalker Park. Mayor Orban stated that the Town has easements or license on a number of the access roads and the maintenance is the Town's responsibility. Mr. Burnaford suggested that the inoperable gate at the Beach Club location be removed. Mrs. Rucker requested to know if the Fire Department has been contacted for feedback regarding their concerns of pedestrian use of the beach access roads particularly during the summer months.

Dr. VanDerwerker commented that the recommendation was very well written.

I. Kiawah Island Bridge Structural Inspection

Mayor Orban explained that he has requested a substructure and superstructure inspection of the Kiawah Bridge. The Town struggled to find enough bids for the project because there are not many companies in the area who do underwater inspections. Mrs. Rucker stated that three qualified bids were received ranging from \$4,000 to \$9,500 from Infrastructure Engineers, McSweeney Engineers and Collins Engineering.

Mayor Orban motioned to approve an expenditure of \$5,000 to hire Collins Engineering to do substructure and superstructure inspection of the Kiawah Island Bridge. The motion was seconded by Mr. Lipuma.

Mayor Orban commented that Collins Engineering has the most experience performing underwater bridge inspections.

IX. Committee Reports: Dr. VanDerwerker

Dr. VanDerwerker previously provided a report from the Public Works Department regarding the Municipal Center Update. He stated that he is not sure of the status of the Greenbelt project. Mrs. Rucker responded that she met with McSweeney Engineering onsite last week to review the project areas. They are working on the final drawings and preparing to begin the environmental inspection.

Dr. VanDerwerker stated that Anne Shahid from the National Audubon Society made a presentation to the Environmental Committee inviting the Town to become a designated Important Bird Area. Ms. Shahid explained the different levels of importance which include State, Continental and Global Importance. He stated that Kiawah's beach would qualify for Global Importance because of the shore birds. He also stated that the entire Island may qualify for Continental Importance. The designation is free and the Town would be listed on the National Audubon Society's website as an Important Bird Area which could encourage tourism to the Island from those looking for a Global Importance Bird Area.

Dr. VanDerwerker stated that the Nuisance Alligator training was held on May 24th. Dr. VanDerwerker stated that the Town passed an Ordinance last month to ban plastic bags for yard waste in conjunction with the County; however, County Council has delayed implementation of the ordinance. The Town has not sent out an official notice to landscape contractors advising them of the change, so that notification will be postponed until the County makes a decision. Dr. VanDerwerker stated that the Environmental Committee is going to clean up a small area of the Municipal Center parking lot to create a native plant demonstration area with assistance of KICA. Dr. VanDerwerker reported activities from the wildlife department including, two bobcat dens were located and recorded, bird banding is ongoing, and monitoring of beach nesting birds. He noted that there were tracks from dogs and people found in the nesting areas following the Memorial Day weekend and the beach birds have left. Dr. VanDerwerker stated that the College of Charleston's Reptile/Amphibian Study is ongoing. Dr. VanDerwerker also reported that a juvenile bobcat was hit and killed on Governors Drive. The Environmental Committee reviewed data comparing the time of the day and vehicle speed as it relates to bobcat vehicle accidents. It was determined that the accidents were related to more traffic volume. Dr. VanDerwerker stated that a request for proposal was posted to the Town's website and submitted to the Post and Courier for the Invasive Plant Study. The deadline for submission is July 5th.

Mr. Lipuma:

Mr. Lipuma stated that on May 7th the Arts Council hosted the West End Mambo performance at Turtle Point Clubhouse. Prior to the performance salsa dance instructions were provided with quite a few people participating. Mr. Lipuma commented that Mayor Orban is a very accomplished dancer having been president of his high school dance club. Mr. Lipuma stated that the last event of the season, Harper at Sundown Festival, will take place on June 29th at Night Heron Park.

Mrs. Wermuth:

Mrs. Wermuth commented that she requested to listen to some recorded meetings and while listening she noticed that the recording was unintelligible. She requested that the system be reviewed to determine if a new recording system is needed.

Mrs. Wermuth stated that one of the items she attempted to add to the agenda was the Kiawah Emergency Committee meeting which is scheduled for June 15th. She stated that she is concerned about the attendee list for the meeting because as Public Safety chair she is not included on the attendee list, as well as the CERT Team Leader. Mrs. Wermuth commented that the Public Safety Charter states that the Chair shall have oversight responsibility for public safety and ensure that the appropriate plans are enforced to accommodate evacuation, emergency law enforcement and any other services required to

ensure the personal safety of all citizens, property owners, and etc. She stated that it would be difficult, if not impossible, for the Public Safety Chairman to fulfill this role without being a participant in this meeting. She further stated that it is her belief that all council members as elected representatives of Kiawah residents should be included in all types of discussions regarding disaster preparedness. Mrs. Wermuth stated that she was advised that notification would be required if more than two members of council are on the Emergency Committee. She feels that if she is not allowed to be a part of the Committee then the CERT Team Leader should be a member. Mrs. Wermuth commented that the Town has funded the CERT Team with \$22,000 and they are preparing to purchase equipment and conduct training. This organization is specifically trained to respond to emergency situations and assist neighbors in the immediate aftermath of a disaster. Mrs. Wermuth stated that information is the first step to being adequately prepared in the event of a disaster, and if the Town felt that it was important enough to fund the CERT Team then they need to follow up by fully incorporating the team into the Town's coordination and planning for emergency and disaster preparedness.

Mrs. Wermuth requested to know the status of obtaining a vendor to perform the Municipal Code codification that was discussed at a recent Ways and Means Committee meeting. She stated that she came across a section in the code that states all ordinances shall be codified and updated annually. Mrs. Wermuth stated that the first formal meeting of the Communications Committee will be June 8th at 10:30 am.

Mr. Burnaford:

Mr. Burnaford reported that the Planning Commission Subcommittee has held meetings to review older neighborhoods and determine if the current zoning is compatible with redevelopment. The Subcommittee has prepared a recommendation which will be presented to the Planning Commission on June 8th. He stated that ARB has been involved in the process to help determine the areas of concern and decide what can be done to address the areas.

Mr. Burnaford stated that he was not able to attend the recent Johns Island Council meeting but provided personal recommendations regarding I-526 and the Greenway. He has not received any feedback from the meeting as of yet.

Mr. Burnaford stated that the KICA Roads Committee held a meeting in May and Mr. Washington provided an update of his progress in providing information to the people on Johns Island. He stated that Mr. Washington has met his goal as required by the KICA Roads Committee and they will meet again in about a week.

X. Town Administrator's Report:

Mrs. Rucker provided Council with a written report that provided an update of a variety of Town initiatives that ongoing. Mrs. Rucker requested to address

several questions that were raised during the meeting. Mayor Orban requested to know the status of the employee handbook updates. Mrs. Rucker responded that she has asked the Subcommittee to prepare a written summary of any changes or recommendations they would like to incorporate into the handbook. She stated that all comments have been submitted to the Town's Labor Attorney for legal review and incorporation as necessary. Following the legal review, the draft version of the employee handbook will be submitted to the subcommittee and forwarded to Town Council for adoption. Mayor Orban noted that Disaster Awareness will take place on June 9th from 10:00 am to 3:00 pm at the Sandcastle and lots of prizes will be given away.

Mrs. Rucker commented on the Municipal Code codification and stated that the proposal from Municipal Code Corporation was obtained for the means of securing a placeholder in the budget, and no action could be taken on this item until after the budget was adopted. Mrs. Rucker stated that question was raised regarding whether there were any additional quotes solicited other than Municipal Code Corporation prior to the budget workshop. Mrs. Rucker stated that she has since determined that Municipal Code Corporation is on state contract as a registered vendor. Staff will provide a recommendation for proceeding with the codification at the July meeting. She further stated that the Town's Purchasing Code does allow for any purchases to be awarded based on state contract as long as the purchases do not exceed \$20,000; otherwise three oral or written quotes must be obtained.

In regard to the proposed Emergency Committee meeting, Mrs. Rucker stated that there is required Incident Command System or ICS training, provided by FEMA ranging from level 100-800 and elected officials are only required to complete one course. Mrs. Rucker explained the ICS training process and that it is designed to be expandable and collapsible based on the emergency. She also stated that all council members have completed the required training course with the exception of Dr. VanDerwerker. Council members are normally included in the planning process and only individuals who are familiar with all ICS courses will be included in the Emergency Operation Center. She stated that CERT is often in the operational section of the Incident Command Structure when deemed appropriate.

Dr. VanDerwerker requested to know if the recording system is okay. Mrs. Rucker stated that recording system is in great operational condition and was recently upgraded and expanded in FY 2011. She stated that the digital recording system provides improved capabilities and encouraged Council members to speak into the microphones and avoid disturbances with paper hitting the microphones.

Mrs. Rucker reminded Council of important dates to include the MASC Annual Conference on June 16-19, 2011 at which the Town will receive a Municipal Achievement Award for the Wildlife Website.

Mrs. Rucker apologized for being late and commented that she was driving back from Spartanburg where she graduated from the Liberty Fellowship Leadership Program. She noted that she received a plaque and a lot of charge to move forward in completing her community project.

XI. Mayor's Report:

Mayor Orban stated that a citizen requested to know why the Town does not have tornado alarms. Mayor Orban advised the citizen that he has never heard of a tornado alarm in this area and feels that that this is not a tornado zone area. He requested comments from Council regarding this request. Mr. Lipuma commented that tornados can happen in unexpected areas and provided examples. Mr. Burnaford stated that concern is worth reviewing. Mrs. Wermuth commented that the weather radios provide tornado warnings. Mayor Orban requested that Mrs. Rucker contact the County and see what they are doing to address this issue.

Mayor Orban stated that there was an issue regarding parking on Beachwalker Drive during the Memorial Weekend. Residents at Inlet Cove experienced problems getting in and out due to cars being parked on both sides of the street because the parking lot at Beachwalker Park was full. Mayor Orban requested that the Public Safety Committee review this issue to determine what the Town ordinance states about parking and whether the right signage is available. He stated that another option could be to allow parking at the Municipal Center on the weekends.

Mayor Orban stated that a position needs to be filled on the Town's Election Commission. He requested that Mrs. Rucker research the option of the County taking over the Town's Municipal Election.

XII. Correspondences:

A. Letter from Coastal Crisis Chaplaincy

Mayor Orban stated that a thank you letter was received from Coastal Crisis Chaplaincy for the Town's charitable donation.

B. Letter from Sea Island Habitat for Humanity

The Town received a letter and certificate from the Sea Island Habitat for Humanity for the completion of the Town sponsored home on Joeva Court.

C. Resignation Letter from Dr. Paul Roberts

Council received a copy of Dr. Paul Roberts' letter of resignation as the Town's Road Consultant.

XIII. Citizen Comments:

Ted Henderson, Island Connection

Mr. Henderson introduced himself as the new staff reporter from with the Island Connection. Mr. Henderson has replaced Kristen Hackler.

Mark Permar, 81 Dungannon Hall

Mr. Permar stated that on behalf of the Kiawah Development Partners, there were conditions dealing with an interpretation of an aspect of the Development Agreement. He stated that requests were submitted to determine the best way to accommodate the clarification and requested to know if any action is in process or being considered. Mayor Orban stated that the issue is being considered and he and Mr. Burnaford or Mr. Lipuma will meet with Dan Pennick to establish a position on the issue.

Mr. Permar commented on the discussion of road improvements and stated that he hopes some type of improvements will take place.

Wendy Kulick, 38 Marsh Edge Drive

Mrs. Kulick commented that Council has done a great job with increasing the availability of meeting handouts by posting them to the Town's website, and suggested that the handouts be archived online. She commented on a section on the Town Council Retreat minutes of January 10th and referenced a statement regarding Mr. Rhoad being advised to research the Development Agreement to determine why the Town does not collect a franchise fee from Kiawah Island Utility. She requested to know if there was any follow up on this item. Mayor Orban stated that the item has been clarified to the satisfaction of the Council.

Mrs. Kulick questioned the May 10th date of Dr. Roberts' resignation letter. She stated that at the last Council meeting there was question as to when he provided his verbal resignation, and Mr. Burnaford stated that he would check into it. Mr. Roberts stated in the letter that it confirms his verbal resignation, but it is not clear when the verbal resignation was actually provided.

Mrs. Kulick stated that she was surprised by Mayor Orban's comment at the beginning of the meeting regarding being able to only make citizen comments at the beginning or the end of the meeting and not both. Mayor Orban responded that he made the statement because he anticipated a lot of citizen comments; however, that was not the case. He said that he would reconsider his position.

XIV. Council Member Comments:

None

XV. Adjournment:
Mr. Lipuma motioned to go into executive session to receive legal advice in light of Mr. Thomas' allegation that the Town has failed to fully respond to his FOIA request and his threat to take further action against the Town. The motioned was seconded by Dr. VanDerwerker and carried unanimously.

Returning from executive session, Mayor Orban stated that no decisions were made and no votes were taken.

Mr. Burnaford motioned to adjourn the meeting at 4:39 pm. The motion was seconded by Mr. Lipuma, and carried unanimously.

Submitted by,

Lakesha Shannon, Town Clerk

Approved by,

G. Steven Orban, Mayor

Date