

**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
JANUARY 9<sup>TH</sup>, 2007, 2:00 PM  
Minutes**

**I. Call to Order:** Mayor Wert called the meeting to order at 2:00 PM.

**II. Pledge of Allegiance**

**III. FOIA:** Notice of this meeting has been published, posted, and faxed in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.

**IIII Roll Call**

Present: William G. Wert, Mayor  
Council: Donald H. McIver, Jr., Mayor Pro Tem  
Alan L. Burnaford  
Charles R. Lipuma  
G. Steven Orban

Also Present: Tumiko Rucker, Town Administrator  
Amber Simmons, Town Clerk  
Dennis Rhoad, Town Attorney  
Frank Milazi, Town Treasurer

**V. Approval of Minutes**

**A. Town Council Meeting: November 7, 2006**

Mr. McIver moved to approve the minutes for November 7, 2006; motion seconded by Mr. Orban. Mr. Orban and Mr. Lipuma had minor corrections on page 3 and page 4 of the minutes.

**With those corrections, the minutes were approved as submitted.**

**B. Town Council Meeting: December 5, 2006**

Mr. Mclver moved to approve the minutes for December 5, 2006; motion seconded by Mr. Burnaford. Mr. Lipuma had a minor correction on page 2.

**With this minor correction, the minutes were approved as submitted.**

**VI Citizens Presentation- None**

**VII Old Business:**

**C. Ordinance 2006-10 Eugenia Ave Setbacks (2<sup>nd</sup> Reading)**

**Mr. Burnaford moved to postpone the discussion on Ordinance 2006-10 Eugenia Ave Setbacks until the February 6<sup>th</sup>, 2007; motion seconded by Mayor Wert. Motion carried unanimously.**

Mr. Lipuma noted that the lot numbers were not included in the ordinance and suggested that they be included in the ordinance.

**D. Ordinance 2006-11 FY06/07 Budget Amendment SATAX Fund (2<sup>nd</sup> reading)**

**Mr. Mclver moved to approve second reading of Ordinance 2006-11FY06/07 Budget Amendment SATAX Fund; motion seconded by Mr. Burnaford. Motion carried unanimously.**

No discussion on this item.

**E. Ordinance 2006-12 Parking Regulation (2<sup>nd</sup> Reading)**

**Mr. Burnaford moved to approve the second reading of Ordinance 2006-12 Parking Regulation; motion seconded by Mr. Orban, Motion passed unanimously.**

No discussion on this item.

**F. Ordinance 2006-13 Updated Town of Kiawah Island Zoning Map (2<sup>nd</sup> Reading)**

**Mr. Lipuma moved to approve the second reading of Ordinance 2006-13 Updated Town of Kiawah Island Zoning Map; motion seconded by Mr. Mclver. Motion carried unanimously.**

Mayor Wert noted that in the Public Hearing prior to the Council meeting, Mr. Kirol addressed a concern pertaining to his property located at 14 Terrapin Island. Mayor Wert said that the ordinance is not related to his concern. Mayor Wert further stated that he wanted to ensure Mr. Kirol that action will be taken to address his concerns and that he and the public will be made aware of what action will be taken.

**G. Ordinance 2006-14 Amending Article 12A-105 Criteria for serving on Planning Commission or Board of Zoning and Appeals (2<sup>nd</sup> Reading)**

**Mr. Burnaford moved to approve the second reading of Ordinance 2006-14 Amending Article 12A-105 Criteria for serving on Planning Commission or Board of Zoning and Appeals; motion seconded by Mr. Lipuma. Motion carried unanimously.**

**VII New Business:**

**H. Election of Mayor Pro Tempore**

**Mayor Wert moved to appoint Mr. Burnaford as Mayor Pro Tempore; motion seconded by Mr. McIver. Motion carried unanimously.**

**I. Appointment of Municipal Judge, Town Attorney, Town Treasurer, and Town Clerk**

**Mayor Wert moved to appoint Greg Brown as the Municipal Judge for the Town of Kiawah Island for a three-year term; Mayor Wert moved to appoint Dennis Rhoad as the Town Attorney for a two-year term; Mayor Wert moved to appoint Frank Milazi as the Town Treasurer; and Mayor Wert moved to appoint Amber Simmons, as the Town Clerk; motion seconded by Mr. Orban. Motion carried unanimously.**

Mayor Wert noted that the Town employees serve at will, and work at the pleasure of the Council.

## **J. Committee Appointments**

**1. Communications Committee:** Mr. Burnaford moved to appoint Armand Glassman for membership to the Communications Committee; motion seconded by Mr. Mclver. Mr. Burnaford moved to reappoint Kelly Bragg, Russell Crane, Lee Anne Taylor, and Lillian Hoopman for an additional one-year term; motion seconded by Mr. Mclver. Motion carried unanimously.

**2. Public Safety Committee:** Mr. Orban moved to reappoint Doug Dodge, James Broadus, and Joe Pezzullo for an additional one-year term; motion seconded by Mr. Burnaford. Motion carried unanimously.

**3. Environmental Committee:** Mr. Lipuma moved to reappoint Jerry Wilson, Bill Connellee, Art Zackrison, David Elliott, Jim Jordan, Norm Shea, Liz King, and Jim Chitwood for an additional one-year term; motion seconded by Mr. Burnaford. Motion carried unanimously.

Mr. Lipuma said that he might add an additional member to this committee at a later time. The new member will be a representative from the ARB but he will submit the information at a later time.

**4. Arts Council:** Mr. Lipuma moved to appoint Ms. Gloria Fenning for membership to the Arts Council, motion seconded by Mr. Burnaford. Mr. Lipuma moved to reappoint Lennie Freeburg, Bill Blizard, Mary Johnson, Sid Williams, Carol Anne Smalley, Julie Fenimore, and Arie DeZanger for additional one-year term; seconded by Mr. Burnaford. Motion carried unanimously.

**5. SATAX Committee:** Mr. Mclver moved to appoint Diane Permar, Gail Vandall, and Roger Warren for membership to the SATAX Committee; motion seconded by Mr. Burnaford. Mr. Mclver moved to reappoint Dylan Jones, Pam Harrington, Bill Daniel, and Bill Blizard for additional one-year terms; motion seconded by Mr. Burnaford. Motion carried unanimously.

**Mr. Mclver moved to appoint Bill Daniel as the committee chair; motion seconded by Mr. Orban. Motion carried unanimously.**

**K. Planning Commission Appointment**

**Mayor Wert moved to appoint JoAnne Makely and Fred Peterson for four-year terms to the Planning Commission; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**Mayor Wert moved to appoint Joyce Neuman for a one-year term to the Planning Commission; motion seconded by Mr. Lipuma. Motion carried unanimously,**

**L. BZA Appointment**

**Mayor Wert moved to reappoint Carol Fishman and Thomas Burke for a three-year term to the Board of Zoning and Appeals; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**M. Abolishment of Public Works Committee**

Mr. Orban briefly discussed the discontinuation of the Public Works Committee. Mr. Orban said that there are not enough agenda items to be discussed on a monthly basis that would constitute the continuation of this committee.

Mr. Orban will schedule meetings on an as needed basis to discuss special project.

**N. Resolution 2007-01 Town of Kiawah Island Employee Handbook**

Mrs. Rucker said that she has been working with a Labor Attorney and Dennis Rhoad, Town Attorney, to review the existing handbook. As a result, the employee handbook has been revised to include state law updates; changes in the employment at will doctrine, a variety of policies, and a separate substance abuse and testing policy.

**Mr. McIver moved to approve Resolution 2007-01 Town of Kiawah Island Employee Handbook; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**O. Kiawah Island Resort Franchise Agreement Extension**

Mayor Wert explained the changes that will be made to the existing Kiawah Island Resort Franchise Agreement. The areas of operation will be changed taking away the West Beach Village, and the term of the contract will also be changed with a one-year renewal option not to exceed three years.

Mayor Wert said that the Ways and Means Committee recommended this extension for approval on January 4, 2007.

**Mr. Burnaford moved to approve the extension of the Kiawah Island Resort Franchise Agreement; motion seconded by Mr. Orban. Motion carried unanimously.**

#### **P. Roundabout Paving Alterations**

Mr. Orban said that additional information is needed before any decision can be made about the Roundabout Paving Alterations project.

**Mr. Orban moved to postpone discussion on this item until the February 6, 2007 meeting; motion seconded by Mr. McIver. Motion carried unanimously.**

#### **Q. Sound System Modifications**

Mayor Wert said that the existing sound system is antiquated and that new technology is available in a digital form. Mr. McIver noted that the money would be taken from the General Fund Contingency line item.

**Mr. McIver moved to approve the Sound System Modifications not to exceed \$20,000; motion seconded by Mr. Orban. Motion carried unanimously.**

### **VIII Committee Reports**

#### **Environmental Committee**

Mr. Lipuma said that Animal Planet staff for the new television series Spring Watch 2007 would be on the Island filming over a six-week period. Mr. Lipuma said that the company is currently looking for an indoor location to film discussions of findings, on the Island and is currently working with the Resort. Mr. Lipuma said that there have been two rare bird species seen on the Island. The sightings include six white pelicans, and one blue phase snow goose. Mr. Lipuma said that the Piping plovers have stabilized to about twenty birds in

comparison with the fourteen to sixteen birds seen last year. It should be noted that two of the birds are Great Lake Plovers, which are on the endangered list.

### **Arts Council Committee**

Mr. Lipuma said that there are two events coming, which include the following: Violin Cello and Piano Trio at Church of Our Savior on January 14, 2007, The Charleston Ballet on January 27<sup>th</sup>, 2007, and the Irish Weekend on February 2, 2007 and February 3, 2007.

### **Public Works Committee**

Mr. Orban said that the number of complaints for solid waste increased during the holidays because trash was not picked up on time or picked up on another day. As a result, Mr. Orban and Mrs. Rucker will meet with Suburban to discuss the problem.

Mr. Orban said that the permits for the Kiawah Island Parkway project have been submitted, and the project has been assigned to a project manager. Mr. Orban said that we should be receiving information pertaining to the public input period.

Mr. Orban discussed the WI-FI presentation for service on the Island. Mr. Orban said that the Ways and Means Committee discussed this issue. And after further research into this service it was determined that it is not feasible to implement this service.

### **Financial Issues**

Mr. Mclver said that the business license renewal applications would be processed and mailed within the next week. Mr. Mclver mentioned the deadline for renewals, which is February 28, 2007.

### **Communications Committee**

Mr. Burnaford said that the meeting date for the Communications Committee has changed to third Tuesday of each month at 4:00 PM. The first issue that will be discussed is combining the Town Notes with the Digest. Mr. Burnaford said that this would improve the communication on the Island allowing property owners to receive one paper including all the necessary information.

### **Public Safety Committee**

Mr. Burnaford said that the Public Safety Committee would be under the leadership of Mr. Orban serving as committee chair. Mr. Burnaford said that the Public Safety Committee did not meet in December.

### **Johns Island Council**

Mr. Burnaford said that he attended the Johns Island Council meeting. Mr. Burnaford wanted to confirm the Town's position as it pertains to the I-526 Extension. Mr. Burnaford said that Town is working with the Johns Island Council, Seabrook Council, and Charleston County Council to address the issue of current road conditions on Johns Island. Mr. Burnaford said that the I-526 Extension and the current road conditions are two different issues. Mr. Burnaford said that he is currently trying to address the road conditions with the forethought of future growth and the impact it will have on the community.

## **VIII Town Administrator's Report**

Mrs. Rucker said that the Town has completed its first Popular report and noted that this would not replace the CAFR. Mrs. Rucker said that the CAFR report has been submitted to GFOA for consideration as well. Mrs. Rucker said that the standard operating procedures for each department have been completed. Mrs. Rucker recognized Rusty Lameo as the employee of the month. Mrs. Rucker stated she would be attending an awards luncheon for Palmetto Pride along with Jim Jordan and Charlie Lipuma on Wednesday, January 24<sup>th</sup>, 2007 in Columbia.

## **X Mayor's Report**

Mayor Wert, prior to moving into old business, said that the Town would no longer conduct first reading of any ordinances prior to having a Public Hearing. Mayor Wert also said that the Town would no longer notify people via email or fax of meeting schedules. Mayor Wert said that the Town would continue to meet the Freedom of Information Act Requirements as it pertains to meeting notifications.

Mayor Wert gave a detailed listed of the different responsibilities that each Council Member has. Mr. Lipuma is responsible for Arts Council, and Environmental Committee. Mr. Orban is responsible for the Public Safety Committee, and any special assignments. Mr. McIver is responsible for financial affairs, acts as the liaison to Planning Commission, Board of Zoning and Appeals, and liaison to the Seabrook Town Council. Mr. Burnaford, Mayor Pro Temp, interfaces with the Johns Island Council, and is responsible for the Communications Committee.

Mayor Wert said that the Town contributed \$50,000 to the Charleston Symphony.

## **XI Citizens' Comments/Questions**

Carol Fishman, 247 Salt Grass Court, thanked the Council for reappointing her to the Board of Zoning and Appeals, and expressed her gratitude to the Town for donating \$50,000 to the Charleston Symphony Orchestra. Mrs. Fishman commented on the issue of meeting notifications and agendas stating that it is difficult to find meeting notices on the website. Mrs. Fishman suggested that additional links be added to the Towns website to make it easier for people to find the meeting notices and agendas.

Wendy Kulick, 38 Marsh Edge Lane, commented on the notice requirements for meeting. Mrs. Kulick suggested that the meeting notifications be posted in all Island Publications and also posted at the KICA Gate for visibility.

Diane Lehder, 306 Warbler Road, commented on the notifications of meetings and said that several people have made good recommendations and she hopes that this will be resolved in a timely manner. Mrs. Lehder asked Mr. McIver if he had a projected schedule for the Amphitheater.

## **XII Council Members Comments:**

Mayor Wert said that the turn out of people to public meetings depends upon the content or issue that is being discussed at the meeting. Mayor Wert said that it is not our ability to notice the meeting that drives attendance but the content of what the meeting is about. Mayor Wert said that we always have the ability to improve.

Mayor Wert also confirmed that the Town contributed \$50, 000 to the Charleston Symphony Orchestra.

**XIII. Adjournment: Mr. Lipuma moved to adjourn the meeting at 2:58 PM; motion was seconded by Mr. McIver. Motion carried unanimously.**

**Submitted by** \_\_\_\_\_  
Amber Simmons, Town Clerk

**APPROVED:** \_\_\_\_\_  
William G. Wert, Mayor

**DATE:** 02-06-07

CC: Mayor Wert  
Dennis Rhoad, Esq.  
Tumiko Rucker, Town Admin  
Council Members  
Town Treasurer  
Planning Commission