

**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
April 3, 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, 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  
**Council:** Alan L. Burnaford, Mayor Pro Tem  
Don McIver  
Charles R. Lipuma  
G. Steven Orban
- Also Present:** Tumiko Rucker, Town Administrator  
Amber Simmons, Town Clerk  
Dennis Rhoad, Town Attorney
- V. Approval of Minutes**
- A Town Council Meeting: March 6th, 2007**
- Mr. Burnaford moved to approve the minutes; motion seconded by Mr. Orban.**
- Mr. Lipuma made corrections on pages 4, 5, and 7. With those corrections the minutes were approved as submitted.**
- B Public Hearing: March 6<sup>th</sup>, 2007**
- Mr. Lipuma moved to approve the minutes as submitted; motion seconded by Mr. Orban.**
- VI Citizens Presentation: None**

**VII Old Business:**

**A. Contract Approval-Telephone System Replacement**

Mayor Wert said that the Ways and Means Committee met with Stan Padgett, of GGM Information Technology, on April 2, 2007 regarding the replacement of the current telephone system. The Ways and Means Committee recommended that \$25,000 be allocated from the General Fund Contingency line item to replace the existing system with the approval of Town Council.

**Mayor Wert moved to allocate \$25,000 to replace the existing telephone System from the General Fund Contingency line item; motion seconded by Mr. McIver. Motion carried unanimously.**

**B. Kiawah Island Golf Resort Franchise Agreement Contract**

**Mr. McIver moved to reinstate the Kiawah Island Golf Resort Franchise Agreement for umbrella and chair rentals in the West Beach Area; motion seconded by Mr. Orban. Motion carried unanimously.**

**VIII. New Business:**

**A. Ordinance 2007-03 to amend Article 12A-216, Table 2M: Waterfront Development Standards and to adopt specific setback requirements for certain lots.**

Mayor Wert said that the Town Council Members received a letter from the Planning Commission asking for additional time to address critical line setbacks issues. As a result, of this request from the Planning Commission this emergency ordinance was drafted, which will become effective April 10, 2007 and will expire in 61 days.

**Mayor Wert moved to approve Ordinance 2007-03 to Amend Article 12A-216, Table 2M: Waterfront Development Standards and to adopt specific setback requirements for certain lots; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**B. Community Flood Insurance Rating System Review**

Mayor Wert said that Mrs. Rucker met with Maria Cox, representative from South Carolina Department of Natural Resources on March 30, 2007 to review the Town's floodplain management program. The field tour of the island revealed that none of the randomly selected structures were found in

violation of the Flood Damage Prevention Ordinance. Ms. Cox stated that the initial findings from the tour indicated that the Town of Kiawah Island's continued participation in the National Flood Insurance is assured.  
(copy of letter attached)

**C. Barrier Island Free Medical Clinic**

Mr. Orban said that Dr. Booth and Dr. Davis gave a brief presentation on March 6, 2007 at the Town Council meeting regarding Barrier Island Free Medical Clinic, which will service the Johns Island and Wadmalaw Island Communities. Mr. Orban said that the Ways and Means Committee met on April 2, 2007 and recommended the contribution of \$25,000 to the Barrier Island Free Medical Clinic. The funds will be taken from the General Fund Contingency line item. A matching fund for the Barrier Island Free Medical Clinic was established and will become effective July 1, 2007. The Town will match of all contributions received by the Barrier Island Free Medical Clinic from Kiawah Island Development Partners, Kiawah Island Golf Resort, and Kiawah Island Community Association not to exceed \$50,000.

**Mr. Orban moved to approve \$25,000 from the General Fund Contingency line item for the Barrier Island Free Medical Clinic; motion seconded by Mr. McIver.**

**Mr. Burnaford amended the motion to include contributions from the Kiawah Island Community Associations in the matching fund. With this amendment the motion carried unanimously.**

**D. Disaster Recovery Service**

Mr. McIver said that the Ways and Means Committee met with Larry Mattox, from VC3, on April 2, 2007 to discuss a disaster recovery service. The service would include a total backup of the server with nightly incremental backups. This information would then be stored at a secured facility in the Columbia, South Carolina. This would allow for staff to have 24-hour accessibility to information stored on the server in the event of an emergency or evacuation. Mr. McIver said that there is a one-time setup fee in the amount of \$4555.55 plus a recurring monthly charge of \$100 for a three-year term.

**Mr. McIver moved to approve the quote from VC3 for the Disaster Recovery Service as recommended by the Ways and Means Committee; motion seconded by Mr. Burnaford, Motion carried unanimously.**

Mayor Wert noted that VC3 is the only company in the state that offers this service therefore the Town is not required to obtain additional bids.

**IX Correspondence:**

**A. Letter from the Planning Commission**

Mayor Wert discussed the letter from the Planning Commission earlier in the meeting. This occurred during the discussion on Ordinance 2007-03.  
(Copy of letter attached)

**X Committee Reports**

**Environmental Committee**

Mr. Shealy, from KIGR, met with the Environmental Committee on March 13, 2007 and discussed the possibility of hosting different types of seminars on landscaping for property owners. These seminars would focus on enhancing natural habitat.

Mr. Lipuma said that the Town would be conducting a litter clean up on April 28, 2007.

Mr. Lipuma said that there were 3 wildlife calls during the month of March, which included 1 fox, 1 bird, and 1 alligator.

The piping plover monitoring is being conducted twice every ten days from February 15, 2007 through April 15, 2007. Mr. Lipuma noted that the migrating birds are beginning to show up along the beach.

Mr. Lipuma provided an update on the KINHC/TOKI Bobcat GPS Collar Study. He indicated that two bobcats have already been collared, and trapping is still underway in order to obtain additional information for the study.

Mr. Lipuma said that on March 5, 2007 the Kiawah Island Community Association Board approved the use of mosquito misting systems on the island with new guidelines for the existing systems.

Mr. Lipuma gave a brief update on the education outreach program Teach and Touch being offered by the Environmental Committee. Mr. Lipuma said that eighty-eight students from Mt. Zion Elementary School attended a trip to The Nature Center on March 29, 2007. Mayor Wert noted that a budget request from the Environmental Committee must be submitted and approved by Town Council before any additional trips are scheduled.

**Art's Council**

Mr. Lipuma said that Enrique Graf and Lee Chin-Siow performed at Church of Our Savior on March 11, 2007 and Frederick Moyer performed on

March 18, 2007 at Church of Our Savior. Both events were well received and well attended. Mr. Lipuma said that he would meet with Roger Warren from KIGR on April 19, 2007 to discuss venue options for upcoming Arts Council events. Mr. Lipuma said that all the upcoming events are in *Town Notes* and on the Town's Website.

### **Public Safety Committee**

Mr. Orban said that there is going to be a scheduled power outage on Tuesday, April 24, 2007. Martha Harris, from Berkley Electric, added that notices of the power outage would be sent to property owners prior to the outage.

Mayor Wert suggested that this information be added to the Town's website and the Kiawah Island Community Association's website.

Mr. Orban said that he, along with members from the Planning Commission, and the Kiawah Island Community Association attended a meeting on Monday, March 19, 2007 with the Don Lundy, Charleston County EMS Director. Mr. Lundy gave an overview of the new GIS/AVL System; which is used in county ambulances and other emergency response units. Mr. Lundy said that this new system will reduce response time in the event of an emergency. During the meeting, the Charleston County Planning Department pointed out that some addresses on the Island are not consistent with state standards. The state standards require that even numbered homes be on one side of the street and odd numbered homes are on the other side of the street. The deviation from state requirement could create a slower response time for emergency personnel. Mr. Orban said that the issue of addressing on the Island would be given to the Planning Commission for further review. In the meantime, Mr. Tedesco, Planning Commission Member, and Joe Croughwell, Director of Security, will meet with local fire officials to discuss this concern.

### **Financial Affairs**

Mr. McIver said that the Town had already met the projected revenue for Business License this year. Mr. McIver noted that the search for a new treasurer is coming to an end. Mr. McIver said that hopefully he will be able to announce a new Treasurer at the next Town Council meeting. Mr. McIver said that the SATAX Committee met on March 23, 2007, and have submitted their formal recommendations to Town Council.

### **Communications Committee**

Mr. Burnaford said that the Communications Committee met on March 29, 2007 and discussed the combination of *Town Notes* and the *Digest*. Mr. Burnaford said that *Town Notes* will address Town business and the *Digest* will discuss other

issues. Mr. Burnaford said that the projected completion date for this project is September 2007. Mr. Burnaford said that the committee is reviewing the cost benefit of combining the two publications. Mr. Burnaford noted that this would allow *Town Notes* to reach more property owners.

### **Johns Island Council**

The Johns Island Council meeting for last month was cancelled because of the weather.

Mr. Burnaford said that on April 2, 2007 Charleston County Board of Zoning and Appeals held a meeting regarding the replacement of the Bohicket Bridge. The construction is scheduled to begin in September 2007. The only affects that should be felt by the community is a reduction in traffic speed during the construction process.

## **XI Town Administrator's Report**

Mrs. Rucker said that the Town's Appreciation Luncheon would be held on April 5, 2007 from 11:00 AM to 2:00 PM. Mrs. Rucker said that she is currently in the process of reviewing the contract with the Charleston County pertaining to the court system and Deputy Coverage. Mrs. Rucker said that the Town is participating in a fundraiser for Turtle research at the South Carolina Aquarium called "Turtles on the Town." The Town has selected a turtle, which will be located in Freshfields. Mrs. Rucker said that Animal Planet is continuing to film on the Island and recognized Jim Jordan and Eric Rice for their hard work on this project. Mrs. Rucker said that Animal Planet would feature the Town's various wildlife research studies in their Spring Watch Series, which will air on April 21, 2007. Mrs. Rucker recognized Town employees who are currently working on certifications through the Municipal Association of South Carolina. These employees include Donna DuPre, Kathy McLerren, and Amber Simmons. Mrs. Rucker noted that a Workers Compensation audit was conducted on March 26, 2007. The Town has less than a 1% experience factor; which is an excellent rating which places the Town is in good standing.

## **XII Mayor's Report**

Mayor Wert recognized the new Chairman of the Kiawah Island Community Association, Russ Warren, and new board member Armand Glassman.

Mayor Wert said that Animal Planet's first episode featuring Kiawah Island will air on April 21, 2007.

Mayor Wert said that Joe Croughwell, Director of Security for Kiawah Island Community Association would be hosting a CPR recertification class on

June 5, 2007.

**XIII Citizens' Comments/Questions**

Emma Emms, 11 Bufflehead Drive, asked the following questions:

“Who owns the ponds and lakes on the island?”

“Who controls the water levels in the ponds and lakes?”

“What is the Town Council’s position on erosion and mitigation on the island?”

“Are property owners that are affected by the erosion able to take actions to resolve the issue? “

Mayor Wert said that normally the Town Council Members do not answer questions during the Town Council meeting. However, he said that he would make an exception to this practice because the questions asked are not the responsibility of the Town. Mayor Wert referred Mrs. Emms to Joe Bunting, Director of the Kiawah Island Community Association.

Diane Lehder, 306 Palm Warbler, noted that the feasibility study for the Community Performing Arts Center was completed in late February 2007. Mrs. Lehder said that after having the opportunity to review the study she noticed that the projected operational date for this center is 2008. Mrs. Lehder asked when the Public Hearings would be scheduled for the Community Performing Arts Center?

**XIV Council Members Comments- None**

**XV Executive Session/ Personnel Matters and Legal Matters**

**Mayor Wert moved to go into executive session to discuss personnel matters and legal matters at 2:55 PM; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**Mayor Wert moved to return to the regularly scheduled Town Council meeting at 4:32 PM; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**Mayor Wert noted that no votes or actions were taken during executive session.**

**As a matter of record, Mayor Wert added the following to the minutes: Ordinance 2006-13, which is the Updated Town of Kiawah Island Zoning Map, is null and void due to improper notice. An executive session of Town Council is scheduled for April 5, 2007, and a Town Council meeting for the budget workshop is scheduled for April 16, 2007.**

**XVI Adjournment:**

**Mr. McIver moved to adjourn the meeting at 4:30 PM; motion seconded by Mr. Orban. Motion carried unanimously.**

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

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

**Date:** \_\_\_\_\_

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