

**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
NOVEMBER 1, 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**  
                          **Kenneth Gunnells, Town Treasurer**  
                          **Lakesha Shannon, Town Clerk**
- V. Approval of Minutes:**  
**A. October 4, 2011 Town Council Meeting**  
**Mr. Lipuma motioned to approve the minutes of the October 4, 2011 Town Council meeting. The motion was seconded by Mr. Burnaford and the minutes were approved unanimously as amended.**
- VI. Citizens' Presentations or Comments:**  
None
- Mayor Orban requested to amend the agenda to add item "H" under New Business – Proclamation for American Indian Heritage Month. **Mr. Lipuma motioned to approve the agenda amendment. The motion was seconded by Dr. VanDerwerker, and passed unanimously.**
- VII. Old Business**  
**A. Debris Site Lease Agreement with KIGR**  
**Mr. Burnaford motioned to approve the Debris Site Lease Agreement with KIGR. The motion was seconded by Dr. VanDerwerker.**

Mayor Orban commented that Council reviewed the agreement last month; however, some corrections were suggested. He stated that the corrections were made and the document is now in its final form for approval.

**Council voted unanimously to approve the KIGR Debris Site Lease Agreement.**

**VIII. New Business:**

**A. Resolution 2011- 06 Declaration of Referendum Results**

**Mr. Burnaford motioned to approve the Resolution 2011-06. The motion was seconded by Dr. VanDerwerker.**

Mrs. Rucker explained that a resolution is required to confirm the referendum results. She stated that the results were confirmed by the Election Commission and a copy of the signed resolution will be filed with the Charleston County Clerk of Court. The election results were as follows:

Total Number of Votes	408
Total Number Yes Votes	387
Total Number No Votes	19
Total Number Blank Ballots	2

**Council voted unanimously to approve Resolution 2011-06.**

**B. Bobcat Research Study Equipment Purchase**

**Mr. Burnaford motioned to approve the purchase of the Bobcat Research Study Equipment. The motion was seconded by Dr. VanDerwerker.**

Dr. VanDerwerker explained that approval of the equipment purchase would allow the Town to continue monitoring bobcats by retrofitting and purchasing additional collars. He stated that the Town will contribute \$5,000 and the Kiawah Island Natural Habitat Conservancy will contribute \$16,409 as a continued effort to help with bobcat research on the Island. Dr. VanDerwerker stated that one of the collared bobcats was recently killed after being hit by a car.

Mr. Lipuma noted that the Ways and Means Committee voted unanimously to approve the equipment purchase.

**C. Kiawah Island Field Guide**

**Mr. Burnaford motioned to approve the Kiawah Island Field Guide. The motion was seconded by Dr. VanDerwerker.**

The Environmental Committee recommended combining the various wildlife brochures into one booklet. About 5,000 copies will be printed initially and

made available to visitors at no charge. The project will be funded through local accommodations tax.

**Council voted unanimously to approve an expenditure of \$5,500 to publish and print the Wildlife Field Guide.**

**D. CERT Team Purchase Approval**

**Mr. Burnaford motioned to approve the CERT Team Purchase as recommended by the Ways and Means Committee. The motion was seconded by Dr. VanDerwerker.**

Mrs. Wermuth explained that the CERT Team would purchase up to \$10,000 in supplies from Zee Medical Supply Company to stock the recently purchased CERT trailer.

**Council voted unanimously to approve up to \$10,000 for the purchase of CERT supplies.**

**E. Holiday Decorations Contractor**

**Mr. Burnaford motioned to approve the holiday decorations contractor as recommended by the Ways and Means Committee. The motion was seconded by Dr. VanDerwerker.**

Mrs. Rucker explained that each year the Town provides holiday decorations at the entrance to the Island and the circle and flagpole areas. The Town previously partnered with KICA landscape staff for assistance with the holiday decorations; however, KICA has advised the Town that they will no longer provide this service. The Ways and Means Committee recommended the approval of an expenditure of \$9,346 to contract with Christmas Décor of SC for this year's holiday decorations.

Council voted unanimously to approve an expenditure not to exceed \$10,000 for holiday decorations.

**F. Budget Amendment – Labor Attorneys**

**Mr. Burnaford motioned to approve the budget amendment for Labor Attorneys as recommended by the Ways and Means Committee. The motion was seconded by Dr. VanDerwerker.**

Mr. Lipuma commented that the proposal before the Ways and Means Committee was to approve a budget amendment for Labor Attorneys not to exceed \$15,000; however, the Committee agreed that \$10,000 would be an adequate amount.

**Council voted unanimously to approve the budget amendment of \$10,000 for Labor Attorneys.**

**G. Debris Monitoring Contract Renewal**

**Mr. Burnaford motioned to approve the Debris Monitoring Contract renewal as recommended by the Ways and Means Committee. The motion was seconded by Dr. VanDerwerker.**

Mrs. Rucker explained that the Town has a debris removal contract with Phillips & Jordan; however, it is also required to have a debris monitoring firm to follow the debris removal company. The current debris monitoring firm, Atkins, Inc., has submitted a letter to the Town requesting the renewal of their existing contract which expires on November 30<sup>th</sup>. They currently have two 1 year renewable options.

**Council voted unanimously to approve the renewal of Debris Monitoring Contract.**

**H. Proclamation for National American Indian Heritage Month**

Mayor Orban read into the record a proclamation and proclaimed the month of November National American Indian Heritage Month.

**IX. Committee Reports:**

**Mr. Burnaford**

Mr. Burnaford stated that there were no actions taken by the Johns Island Roads Committee in their last meeting. County Council will have no further discussions on the Greenway and I-526 until a resolution of their contract for I-526 is received from the State.

**Mr. Lipuma:**

Mr. Lipuma stated that October was a very busy month for the Arts Council. Two Piano Bar events were held at the Sandcastle. The Sound of Charleston performance was held at Holy Spirit Catholic Church. He noted that the performance sold out and received two standing ovations. Michelle Amato performed a popular redo at the Turtle Point Clubhouse. The Superior Donuts performed at the Turtle Point Clubhouse, with donuts and coffee served during intermission. Mr. Lipuma stated that upcoming events include: A performance by the Charleston Symphony Orchestra at Freshfields on Saturday, November 5<sup>th</sup>, which will also include a Kiawah House Tour. Eugenia Zuckerman will perform at the Church of Our Saviour on Friday, November 11<sup>th</sup>.

**Dr. VanDerwerker:**

Dr. VanDerwerker reported on the Environmental Committee and stated that Professor Joel Gramling provided a public presentation on the Invasive Plant Study on October 11<sup>th</sup> in the Council Chambers. He noted that the

presentation was well attended. Professor Gramling has obtained the requested insurance to complete the research study and a copy of the insurance will be provided to the Resort. Dr. VanDerwerker stated that a number of the boardwalks need to be extended and raised to preserve the dunes. With the support of the Environmental Committee, Mrs. Rucker will apply for the Palmetto Pride Grant Project to fund the Native Plant Demonstration Garden at Town Hall. Dr. VanDerwerker and Mayor Orban will meet with Liollo Architecture to finalize the ADA changes to the Municipal Center.

#### **Utility Task Force (UTF) Committee Update**

Mr. Lipuma reported that the UTF Committee conducted three information sessions in October. He commented that there was a very good turnout for the recent referendum. The UTF Committee met with Jacobs Engineering Firm and Haynesworth Sinkler Boyd to discuss the evaluation of the Kiawah Island Utility (KIU). Mr. Lipuma commented that an excellent report was received and a follow up meeting will take place on November 16<sup>th</sup>. Mr. Lipuma and Mayor Orban will meet with Townsend Clarkson, of KDP, on November 8<sup>th</sup> to provide the Town's decisions of whether or not to make an offer.

Dr. VanDerwerker asked if Council would vote on the Town's decision to make an offer. Mayor Orban explained that as Mayor he would make an offer and if accepted; Council would ratify any contract before execution. He stated that the potential offer will be discussed by Council on December 6<sup>th</sup>. Dr. VanDerwerker requested that the legal aspect of the process be verified.

#### **X. Town Administrator's Report:**

Mrs. Rucker recognized Town Clerk, Lakesha Shannon, for one year of service with the Town. A number of Town staff attended the recent Municipal Association's Annual Business License and Clerks and Treasurers Meeting in Greenville, SC. Mrs. Rucker presented an Advanced Accounting training class. Rusty Lameo, Code Enforcement Officer, and the Town's longest serving employee, was featured in the recent edition of Town Notes. Mr. Lameo has also been recognized and nominated for the Palmetto Utility Protection Services (PUPS) Board. The Town is currently working on several ordinance revisions to include the noise and glass ordinances and the short term rental agreement. Mrs. Rucker is working to finalize the Comprehensive Plan Report Card which will be presented at the December 7<sup>th</sup> Planning Commission meeting. The Town received one bid for the Greenbelt Project; however, the bid was rejected due to being incomplete. The project was rebid and a number of firms have shown interest. The Town is currently working on RFP's for landscaping and other contractual items that are due to expire. The Town has completed the 2012 Insurance and Benefits Enrollment which will become effective January 2012. Employee reviews will be completed this month.

**XI. Mayor's Report:**  
Mayor Orban suggested that the Town complete a cellphone service survey to determine the quality of cellphone service across the Island. Mayor Orban commented on the recent Captain Sam's Dock plan review and stated that the arbitrator ruled in favor of Kiawah Development Partners and determined that the dock would be a neighborhood dock for use by the residents of Captain Sam's.

Mr. Burnaford commented that the Planning Commission will review the table in the Key Locations Ordinance for clarification.

**XII. Correspondences:**  
None

**XIII. Citizen Comments:**  
**Wendy Kulick, 38 Marsh Edge Lane**  
Mrs. Kulick thanked Mr. Lipuma for the UTF Committee update. She commented on the holiday decorations and suggested that additional decorations be included to observe other holidays that are celebrated around Christmas time.

**XIV. Council Member Comments:**  
**Dr. VanDerwerker**  
Dr. VanDerwerker thanked Mayor Orban and Mr. Lipuma for the information presented during the UTF public information sessions.

**Mr. Lipuma**  
Mr. Lipuma stated that the October 14<sup>th</sup> "Kiawah House Build Day" sponsored by the Sea Island Habitat for Humanity (SIHH) was a success. He stated that about 15 Kiawah residents partnered with SIHH to help construct a home on Joeva Court in West Ashley.

**Mr. Burnaford**  
Mr. Burnaford is reviewing the Town's rental, noise and lighting regulations. He will work with KICA and the ARB to ensure that regulations for each entity are compatible and enforceable.

**XV. Executive Session**  
**Mayor Orban motioned to go into executive session to discuss employee compensation and the proposed purchase by the Town of Kiawah Island Utility and receipt of legal advice relating thereto and covered by the attorney-client privilege. The motion 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.

**Mayor Orban motioned to adjust the employee salary ranges based on a 4% adjustment upward for all employee categories. The motion was seconded by Mr. Lipuma.**

**Mrs. Wermuth motioned to table the vote until the next Ways and Means Committee meeting to allow more time to review the information. Dr. VanDerwerker seconded the motion. The motion failed 2-3, with Mayor Orban, Mr. Lipuma and Mr. Burnaford voting no.**

Dr. VanDerwerker suggested that the Town adopt a policy stating that salary ranges would be adjusted based on the annual Cost of Living Adjustment (COLA).

Mr. Lipuma commented that he supports the annual salary range review; however, he does not agree with basing the increase on a specific index. He recommended leaving some judgment to Council.

**Council voted 4-1 to adjust the employee salary ranges upward by 4% for the 2012 calendar year. Mrs. Wermuth voted no.**

Mayor Orban recommended that discussion of the merit range be deferred to the next Ways and Means Committee.

**XVI. Adjournment:**

**Mr. Burnaford motioned to adjourn the meeting at 4:12 pm. The motion was seconded by Dr. VanDerwerker, and carried unanimously.**

**Submitted by,**

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**Lakesha Shannon, Town Clerk**

**Approved by,**

\_\_\_\_\_  
**G. Steven Orban, Mayor**

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**Date**