

**Town Council Meeting
Kiawah Island Municipal Center
November 4, 2008; 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

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

V. Approval of Minutes:

A. Town Council Meeting: October 7, 2008

Mr. Burnaford motioned to approve the minutes of October 7, 2008. Mr. Orban seconded the motion. Mr. Orban removed the words “bikepath and parkway project” and inserted the words “for mitigation land for services to OCRM” on page 2, Old Business, Item B. Mr. Orban also removed the word “all” and inserted the word “allow.” Mr. Orban and Mr. Lipuma corrected the spelling of the bird “Least Tern.” With those changes the minutes were approved unanimously.

VI. Citizen’s Presentation

None

VII. Old Business

A. Discussion of Kiawah Island Parkway and Bikepath Project

Mr. Orban stated that he was happy to announce the Town had resubmitted permits to OCRM and the Army Corps of Engineers for the bikepath project. If approved, the Town will be using the land from the 6th hole of Cassique golfcourse for mitigation purposes. The design has been approved by Charlie Arrington, KDP. Mr. Orban stated that he is hopeful that the Town will receive a permit in the near future.

VIII. New Business:

A. Presentation to the Youth Golf Program

Mayor Wert presented Mr. Harry McHugh of the Sea Island Youth Golf and Tennis Program with a check of \$5,000. Mayor Wert stated that this is a program supported by the Town Council each year and respected for its community outreach to the youth of Johns, Kiawah, and Seabrook Islands. Mayor Wert stated that it is always nice to donate money to a worthwhile cause.

B. Town of Kiawah Island Arts Council Ticket Automation

Mayor Wert stated that the Ways and Means Committee deferred this item in order to conduct further research.

C. Awarding of Landscaping Contract

Mrs. Rucker stated that after careful review of all eight proposals by staff and the Ways and Means Committee, the Ways and Means Committee unanimously recommended that Town Council award the landscaping contract to the Kiawah Island Community Association (KICA) in the amount of \$54,000. This contract will begin on January 1, 2009.

Mayor Wert asked if the amount of \$54,000 was per year for a period of three years. Mrs. Rucker stated that is correct.

Mr. Orban motioned to award the landscape maintenance contract to Kiawah Island Community Association in the amount of \$54,000 per year for a period of three years beginning on January 1, 2009. Mr. Burnaford seconded the motion.

Mr. Lipuma asked if the \$54,000 was a total cost per year or if KICA could add more costs. Mrs. Rucker stated that KICA explained that the \$54,000 was a complete quote for the entire scope of work.

Mr. Lipuma stated that in the past, the Town has not been pleased with KICA's landscaping work and asked if the contract would contain measures of quality control allowing the Town to hold KICA responsible for their workmanship. Mrs. Rucker explained that the contract will contain language that requires KICA to submit a detailed invoice to the Town and that Town staff will have a review and approval period before the invoice is paid. Mr. Lipuma stated that he would like to review the contract for informational purposes. Mr. Rhoads stated that if KICA has not completed the work to the standards of the Town of Kiawah then the bill will not be paid until those standards are met.

Upon vote, the motion carried unanimously.

IX. Committee Reports:

Beach Parking

Mr. Lipuma stated on October 15, 2008 he and Mr. Orban met with Roger Warren to discuss the beach parking situation. Mr. Lipuma stated that he and Mr. Orban advised Mr. Warren that OCRM is unlikely to issue a permit for the parking lot. Mr. Lipuma based that advice on the discussions with DNR and Fish and Wildlife service representatives. Mr. Lipuma stated that they told Mr. Warren that they would like to consider the offer of putting a parking lot in the new clubhouse parking lot or nearby. Mr. Lipuma stated that the current clubhouse lot has seven extra spaces at this time and that the state representatives had commented that the location would be suitable. Mr. Lipuma stated that in order to share the other 27 parking spaces with KIGR, they must obtain a variance from the BZA. Mr. Lipuma stated that Mr. Roger Warren is in the process of reviewing the plans with KIGR's corporate attorney in order to determine if because the original location is 2/3's under water if the Resort is still responsible for providing a parking lot location. Mr. Lipuma stated that after he receives a response from Mr. Warren they will work on developing a plan for the 30 beach parking spots.

Environmental Committee

Mr. Lipuma stated that the island has experienced extremely high tides over the past few weeks; some even reaching as high as eight feet. He explained that these tides have resulted in mild dune scarfing. Mr. Lipuma noted the following wildlife calls:

- October 10 – A deceased Bottlenose Dolphin was located near the Stono Inlet and picked up by NOAA.
- October 12 – A deceased radio-collared female deer was reported in the pond at 225 Kings Island
- October 28- Deer hit by vehicle at Kiawah Parkway and Kiawah Beach Intersection
- A flock of 6-8 wild turkeys has been spotted near Mingo Point
- A property owner returned a GPS collar found in their backyard. Mr. Jordan discovered that the collar was from a previously collared female bobcat.
- Piping Plover surveys are averaging around 20 birds per survey
- On October 29 Jim Jordan met with Cougar Point golf course representatives to discuss bobcat and songbird habitat improvement initiatives.
- Deer spotlight surveys have an average of 55 deer per square mile
- Mr. Carl Voelker met with the Environmental Committee in order to share "green ideas". Mr. Voelker was named to the County "Green Ribbon" Committee. That committee will make recycling and solid waste recommendations to the County Council.

Arts Council

Mr. Lipuma stated that the Fred Moyer and Quiana Parlor events were both huge hits and that the performers will hopefully perform for the Town again. Mr. Lipuma also stated that the Grass Roots event was very interesting and adds "flavor" to the Arts Council program. The next event is the CSO on Saturday November 5 at the Sanctuary; this is an ATAX event.

Public Safety

Mr. Orban stated that the Public Safety meeting met October 14 and the safety reports were all favorable. Captain Brady stated that minor traffic violations and a DUI were the only issues. Mr. Croughwell also stated that there were no major incidents. Mr. Orban stated that the Beach Patrol review went very well and they only encountered four major incidents on the beach during the entire summer.

Mr. Orban stated that he, Mr. Rusty Lameo, Mr. Joe Pezzullo, Mr. Roger Warren, and Mrs. Liz King met at the Sanctuary's emergency beach access to review safety of the area. Mr. Orban stated that there were concerns that the access was too narrow and overgrown for suitable access. Mr. Warren had the area trees and growth trimmed and gravel placed for better emergency access. Mr. Orban stated that Mr. Lameo reviewed the roadway and approved of its conditions.

Financial

Mr. Orban stated that the Town's Ways and Means committee reviewed the Town's first quarter financial report and everything is in good shape. Mr. Orban also explained that the Committee will review a hypothetical 30% decrease in budgeted revenue in order to prepare for a possible effects of the nation's economic downturn.

Johns Island Roads

In September Mr. Burnaford stated that Mayor Riley requested that he, Mr. Paul Roberts and Mr. Buddy Darby meet with him to explain the Town's perspective on the roads issue. Mr. Burnaford stated that after that meeting with Mayor Riley, he received a letter from the Mayor explaining that after review, the City Planning Staff did not feel the Cross Island was the proper solution. Mr. Burnaford stated that two solutions have been put forward, the Pitchfork concept (Charleston City Council) and the widening of Maybank (Charleston County Council).

Mr. Burnaford stated that in mid-October, Mayor Riley requested that he, Mr. Roberts, and Mayor Wert once again explain the Cross Island to the City's planning staff. During this meeting, the group explained how the Cross Island roadway would strengthen both the "pitchfork concept" and the widening of Maybank by removing 30,000 trips in 2030 from these proposals. These trips were to the south part of Johns Island from the Stono Bridge and I 526 at completion. Mr. Burnaford explained that the Town also passed a resolution stating that neither method would work without the Cross Island and that resolution was sent to both the City and County of Charleston.

Mr. Burnaford explained that the County Council did not want to move forward with their support of the Cross Island without Mayor Riley's support. Mr. Burnaford stated that during the last County Council meeting the Council voted against funding another evaluation of the Cross Island. However, the County Council voted for the formation of a committee to evaluate the Cross Island proposal. The committee was to be formed of representatives from Johns Island, Seabrook Island, Kiawah Island, and Wadamalaw Island. This concept was recently vetoed at the County Public Works Committee.

Prior to the most recent County Council meeting, Mayor Riley sent a letter confirming his approval of the Cross Island concept to County Council and recommended that the Mayor's of the various Sea Islands form a Committee to discuss how to build this road. Mr. Burnaford explained that the Committee of Mayors will meet with the City and County Councils in order to develop a plan that will be sent to the South Carolina Department of Transportation for evaluation.

Mr. Burnaford explained that the City of Charleston has annexed multiple properties along Maybank Hwy, North, and South River that will be affected by any resolution to the roads issue and the City will be a key player on the decisions that are made.

There has been no meeting as of November 4, 2008.

X. Town Administrator's Report

Mrs. Rucker explained that the Town's financial department is in the final preparations for completed the Comprehensive Annual Financial Report (CAFR) and the Popular Annual Financial Report (PAFR). Mrs. Rucker commended Mr. Dan Pennick and the Charleston County Planning Staff for the Planning Commission Continuing Education Training which they completed in early October. The Town completed the 2009 Insurance Enrollments in October. Mrs. Rucker stated that annual employee reviews will be completed by November 21, 2008.

XI. Mayor's Report

Mayor Wert stated that he would like to once again commend the Kiawah Island Community Association's security force for a job well done. Mayor Wert explained that during the heavy rainfall and heavy flooding on October 4 the security forces instantly deployed their personnel and attended to every distress call instantly. Mayor Wert stated that the security forces were directing traffic, helping stalled motorists, and helping out wherever they could.

Mayor Wert stated that the voting wait time on Kiawah was nearly one hour and that from his observation he believes that the voting turn out will be nearly 80%. Mayor Wert stated that it was nice to see people exercising their civic duties. Mayor Wert reminded attendees that the Town's election is Tuesday, December 2, 2008. There will be two "Meet the Candidate's" nights; one KICA sponsored and one KPOG sponsored.

Mayor Wert stated that after four years of development agreement negotiations with the KIGR, the discussions have ended with no development agreement. Mayor Wert stated that both parties worked diligently, but no agreement was arrived upon. Mayor Wert stated that he hopes that KIGR, in due haste, will use the available Town requirements when dealing with the "old Inn" property at West Beach.

Mr. Burnaford explained that West Beach is zoned RST and that they will be able to build a new inn without coming to the Planning Commission because it is allowed in the current zoning. Mr. Burnaford requested that any citizens with questions or concerns

about what the Resort is allowed to do with their property come to the Planning Commission or Council Member for a clear answer.

XII. Citizen's Comments/Questions:

A. Wendy Kulick, 38 Marsh Edge Lane,

Mrs. Kulick asked what the total costs were for having a December election, rather than a Town Election on the same date as the November election. Mrs. Kulick stated by cost she meant money and voter turnout. Mrs. Kulick also asked if the Town could hold its 2010 election in November.

Mrs. Kulick asked Mr. Burnaford for clarification on the "Mayor Committee" for discussion of the Johns Island Roads. Specifically Mrs. Kulick asked if the Mayor of Rockville will be included and if there will be any representative for the people of Johns Island. Mrs. Kulick stated that she is concerned that if the people of Johns Island are shut out of the process there will be even further opposition.

Mayor Wert stated that the Town normally does not answer questions during the meeting in which they are asked but that in regards to Town elections, the Town's founders had their first election in December and each term is for a period of two years. The State also requires that a minimum of two years between each general election date.

Mrs. Kulick then suggested that the Town consider looking into the idea of having the 2012 election in November.

Mayor Wert then commented that the Town has looked into this option in the past and council terms would have to be changed, by the state legislature, to three years in order for an election month change to logistically take place.

XIII. Council Members Comments

Mr. Burnaford

No Comment.

Mr. Orban

No Comment.

Mr. Lipuma

No Comment.

Mayor Wert

Mayor Wert thanked attendees for their presence at the meeting and for voting.

XIV. Adjournment

Mr. Lipuma motioned to adjourn the meeting at 2:33PM. Mr. Orban seconded the motion. The motion carried unanimously.

Submitted by,

Catherine C. Wilson, Town Clerk

Approved by,

William G. Wert, Mayor

Date