

**TOWN COUNCIL MEETING
KIAWAH ISLAND MUNICIPAL CENTER
COUNCIL CHAMBERS
August 5, 2008, 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: Al Burnaford,
Charles R. Lipuma

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

Absent: G. Steven Orban

V. Approval of Minutes:

A. Town Council Minutes for July 1, 2008

Mr. Lipuma motioned to approve the minutes of July 1, 2008. Mr. Burnaford seconded the motion. The motion carried unanimously.

VI. Mayor Wert motioned without objection to remove “Executive Session” from the agenda.

VII. Citizen Presentations:

None

VIII. Old Business:

None

IV. New Business:

A. Restricted Fund/SCDHEC Grant

Mrs. Rucker stated that the Town had been awarded a SCDHEC grant in the amount of \$40,000 to use in the expansion of island wide recycling. Mrs. Rucker explained that in order to properly account for the \$40,000 SCDHEC grant award, the monies will be placed in a "Restricted Fund". Mrs. Rucker noted that the Ways and Means committee unanimously recommended that the Town move \$40,000 from contingency to the restricted fund and that the \$40,000 be authorized for expenditure as permitted in the SCDHEC grant and the SATAX fund. The SCDHEC grant will reimburse the Town's \$40,000 expenditure.

Mr. Burnaford motioned to approve a new fund entitled, "Restricted Fund", the reallocation of \$40,000 from contingency to the new Restricted Fund and the expenditure of monies placed in the Restricted Fund Mr. Lipuma seconded the motion. Motion carried unanimously.

B. Recertification of the Five Year Charleston County Hazard Mitigation Plan

Mrs. Rucker explained that every five years the County updates their Hazard Mitigation Plan with FEMA. As a part of the County plan, the Town must adopt a resolution renewing membership in the County's plan for the next five years.

Mayor Wert stated that the Hazard Mitigation Plan allows for reduced insurance rates. Mrs. Rucker stated that the Town will seek to further reduce flood insurance rates for property owners on the Island.

Mr. Burnaford motioned to approve Resolution 2008-4 to adopt the revised Charleston Regional Hazard Mitigation Plan. Mr. Lipuma seconded the motion. Motion carried unanimously.

C. Arts Council Appointment

Mr. Lipuma nominated Ellie Burnaford to the Arts Council. Mr. Burnaford abstained from voting.

Mr. Lipuma motioned to approve the nomination of Ellie Burnaford to the Arts Council. Mayor Wert seconded the motion. The motion carried unanimously.

D. Policy Amendments to the Building Code Regulations

Mrs. Rucker explained that the Town's Building Code, Article 9, automatically adopts the Counties Building Code and any revisions. Effective July 1, 2008, the County adopted a new policy regarding business licenses and permits. The revision requires a permit fee of \$25.00 for the following trades: vinyl/aluminum siding, insulation,

masonry, carpentry, stucco, low voltage electrical, landscaping/site development, painting/wall paper hanging, floor covering installation, drywall hanging/repair, roofing, fire (suppression and fire alarm systems), burglar alarms, swimming pools, signs, and elevators. Charleston County will be responsible for collecting all permit fees and business license fees associated with these trades anytime work is done in the Town of Kiawah Island. The County will remit to the Town of Kiawah Island a portion of the permit fees and 100% of the Business License fee as calculated using the Town's rates for the corresponding trade.

Mr. Lipuma motioned to adopt the recent Charleston County Building Code revision. Mr. Burnaford seconded the motion. Mr. Burnaford asked if the words "viable need" under "Background" in the staff summary should be "viable means." Mrs. Rucker stated that the word "need" should be replaced with "means". After the comments, motion approved unanimously.

E. Kiawah Conservancy

Mayor Wert stated that the Kiawah Conservancy presented a request for the Town to disburse the \$100,000 donation as budgeted in the 2008-2008 Town Budget.

Mr. Burnaford motioned to approve the expenditure of \$100,000 to the Kiawah Island Nature Conservancy. Mr. Lipuma seconded the motion. Motion carried unanimously.

F. HVAC System

Mayor Wert stated that the Town published an RFP for the replacement of two HVAC units. There are a total of six units that need to be replaced at Town Hall. The following companies submitted qualified bids: Berkeley Heating and Air Conditioning, Lonzie and Allen, LLC. and Signature Heating and Air. Based on staff evaluation, it was recommended to approve up to \$12,000 for two Carrier Sea Coast 5 ton 14 seer machines using R-410a refrigerant from Berkeley Heating and Air. Mayor Wert explained that this is a budgeted item.

Mayor Wert motioned to approve the expenditure of up to \$12,000 for the purchase of two Carrier Sea Coast units from Berkeley Heating and Air. Mr. Burnaford seconded the motion. The motion carried unanimously.

Mr. Lipuma stated that Berkeley Electric's bid was a great price for two units. Mayor Wert explained that because the Berkeley Heating and Air Bid is substantially lower than the other bids, he recommends that the Town publish a new competitive bid for the replacement of the four remaining HVAC units. Mayor Wert explained that only two HVAC units were budgeted for replacement and that the replacement of four additional units will be funded from contingency.

Mayor Wert motioned to authorize the Town Administrator or Town Treasurer to publish a competitive bid request for the replacement of four HVAC units and to expend funds from the contingency to cover the cost of replacing four HVAC units,

if the submitted bid price is equal to or less than the amount of \$10,748 for two units; \$5,374 each. Mr. Burnaford seconded the motion. Motion carried unanimously.

X. Committee Reports:

Environmental Committee

Mr. Lipuma reported on the Wildlife report from 7-3-08 to 8-7-08 (attached). Mr. Lipuma noted that the alligator population, based on the June 30-July 1 survey, found 537 alligators along the survey route. Mr. Lipuma stated that based on a review of the surveys, it seems the alligator population is steadily increasing by 100 alligators every two years. Fish testing has been completed and all results are within the excepted limits. Wildlife brochures have been received and will be distributed as are done each year. The Turtle Patrol has staked 223 loggerhead turtle nests this season along with one leatherback nest.

Arts Council

Mr. Lipuma stated that the 2007-2008 Year End Assessment report will be presented to Town Council at next month's meeting. The Arts Council is currently in the planning stage for their 2008-2009 season.

20th Anniversary

Mr. Lipuma stated that the event will take place Saturday, September 13 at the Sandcastle. Hamby Catering will provide catering services for the event. The event will have two bands and the Angel Oak Youth Choir will open the celebration. The booklet will be reviewed at the next meeting. Invitations have been mailed and guests may RSVP by calling Town Hall.

Public Safety

Mayor Wert stated that the Town continues to move forward with the Parkway Construction project and that "we have crossed one hurdle and have a few more to go." Mayor Wert explained that Berkeley Electric will soon be replacing the main circuits for Kiawah Island and that construction will be noticed along the Parkway. Mayor Wert stated that the construction is separate from the Town's Parkway Project.

Johns Island Council

Mr. Burnaford stated that the Johns Island Council met July 3, 2008 and was very lightly attended. The Beach Company held two public meetings in regards to the Kiawah River Plantation development. This proposal has 1200 homes with a hotel and a golf course. The entry road from Betsy Kerrison will include multifamily dwellings and two small village areas. Mr. Burnaford also stated that another development is planned to go in at Betsy Kerrison and River Road and behind the Angel Oak Tree and the Kentucky Fried Chicken. Mr. Burnaford also commented on the Maybank Highway project and stated it was discussed at the Charleston County Finance Committee meeting and that the City and County of Charleston have different plans for Maybank Highway.

XI. Town Administrator's Report

Mrs. Rucker stated that the Town is in the process of compiling an Recycling Committee as recommended by the consultant. The Town has also been in conversation with recycling haulers to discuss the opportunity for cost-sharing and that companies have been very accepting of the request to expand current services. Mrs. Rucker stated that she is negotiating with companies to secure a credit based hauling system and that she will present a contract to Town Council for review and approval. The Town will finalize the Phillips and Jordan Debris Removal contract by September 1, 2008. The Town published an RFP for landscaping services on all Town owned properties and received eight bids. A formal recommendation for the landscape contract will be presented at the next Ways and Means and Town Council meetings.

The Town has received certification from the GFOA of the United States and Canada for the Town's Popular Report and CAFR. This report was mailed to all residents and received great feedback. The Town of Kiawah Island is the only municipality in the State to hold the award and designation from the GFOA.

The 2007-2008 audit is scheduled to begin by the end of August.

The Town was recognized at the MASC Annual Meeting for its participation in the 2008 Municipal Association Achievement Award for the collective beach renourishment project.

XII. Mayor's Report

Mayor Wert thanked Mr. Gunnells and Mrs. Rucker for their work in preparing the multiple award winning financial documents. He also warned of the sever thunderstorms that have been taking place on the Island and encouraged those in attendance to use precaution when it comes to plugging electronic goods into unsecure outlets in their homes; he greatly recommended using a surge protection device for safety. He also asked attendees to be extremely safe while driving on the Island due to the increased number of bicyclist during the summer visitation months.

The Town is currently waiting on a response from the Resort concerning the Development Agreement.

Mayor Wert instructed all code enforcement officers and beach patrol to monitor and strictly enforce the leash law ordinance.

XIII. Citizens' Comments/Questions

A. Bill Moeckel, 3 Sand Alley Rd.,

Mr. Moeckel asked how long the Resort has to respond to the Town in regards to the Development Agreement.

B. Ron Smith, 44 Ocean Course Drive,

Mr. Smith asked if Town Hall Chambers could be used for a political rally supporting presidential candidate John McCain.

XIV. Council Members Comments

Mr. Alan Burnaford

No Comment

Mr. Lipuma

Mr. Lipuma stated that he has met with Bill Fellers with Thomas and Hutton Engineering to discuss the location of 30 beach parking spots at the Ocean Course. Mr. Fellers will present a cost proposal along with scope of work within the next two weeks. The entrance road must be carefully placed as it will run close to property with future development plans.

Mayor Wert

Mayor Wert explained that by charter, Town is a non-partisan government and that the Town does not participate in partisan political events.

XV. Adjournment:

Mr. Lipuma motioned to adjourn the meeting. Mr. Burnaford seconded the motion. The meeting was adjourned at 2:38PM.

Submitted by _____
Catherine Wilson, Town Clerk

APPROVED: _____
William G. Wert, Mayor

DATE: _____

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

