

**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
March 11, 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: Alan L. Burnaford, Mayor Pro Tem  
Charles R. Lipuma  
Don McIver  
G. Steven Orban

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

Absent: Ken Gunnells, Town Treasurer

**V. Approval of Minutes:**

A. Town Council Meeting: February 5, 2008

**Mr. Orban motioned to approve the February 5, 2008 minutes; Mr. Burnaford seconded the motion. Mr. Burnaford made changes to page three; striking the words “during” and “Sandcastle”. With those corrections the minutes were approved as submitted.**

**VI. Mayor Wert moved without exception to add Our Lady of Mercy Outreach Services to item C under “Citizen Presentation” and to move item G from “New Business” to item D under “Citizen Presentation”.**

## **VII. Citizens Presentation:**

### **A and B**

Due to scheduling conflicts, Mrs. Faye Brown of Capers Academy and Mrs. Louise Welch of the American Red Cross did not present to Town Council; these were items A and B respectively.

### **C. Our Lady of Mercy Outreach**

Sister Mary Joseph and Mr. Griff Hogan discussed the Our Lady of Mercy Outreach and its current services. The center has an ongoing capital campaign to raise \$4.5 million which includes a pledge from the Kresge Foundation of \$500,000 if they raise \$4 Million by June 30, 2008. As of March 11, 2008, Our Lady of Mercy's capital campaign has \$3.1 million pledged.

### **D. Fire District 2008 Annual Budget-Chief Ristow**

Chief Karl Ristow of the St. Johns Fire District discussed the current budget which does not include tax increases. The budget adds 3 employees to Station #4, on Kiawah Island, helping to reach the national staffing standards. He noted that the new Fire Station #7 on Main Road has resulted in lower response times and insurance rates for homeowners. Chief Ristow concluded that the consolidated 911 center will help reduce the districts ISO rating from 4 to 3.

## **VIII. Old Business: None**

### **IX. New Business:**

#### **A. Beach Report Dr. Kana**

Dr. Kana presented the annual beach report to citizens and Town Council. He discussed the projects original goals along with results. As of the presentation, the project had been completed for a little over a year and the project is in the first of five years of monitoring. Dr. Kana stated that "Kiawah Island is one of the healthiest islands on the coast." The project has created new habitat for the Piping Plover, very valuable wetland acreage, and has so far, achieved the protection of the world renowned Ocean Course. This report will be available to the public once finalized.

#### **B. Amendment to Franchise Agreement-Night Heron Park, LLC**

Mrs. Rucker explained that the Amendment to the Franchise Agreement expired in January 2008 but allowed for an extension of two separate one year terms. With the proposed amendment, the contract will expire January 31, 2010. This item was reviewed and forwarded by the Ways and Means Committee.

**Mr. Orban motioned to approve the Amendment to Franchise Agreement. Mr. Burnaford seconded the motion. Motion carried unanimously.**

### **C. Beach Debris Contract**

Mrs. Rucker explained that the current contract service rate is \$1,708 per month and, the amendment increases that rate to \$2,100 which includes an increase in the scope of work; including service and maintenance to recycling bins along the beach.

**Mr. Burnaford motioned to approve the Beach Debris Contract Amendment. Mr. McIver seconded the motion. Motion carried unanimously.**

### **D. Auditor Selection**

Mr. McIver discussed the auditor bid and review processes. Mr. McIver stated that he and Mr. Gunnells had reviewed the proposals. Based on Town staff's and Ways and Means Committee evaluations, it was recommended that the auditor contract be awarded to Bryant, Truesdale, Adkins, and Williams, PA CPA for the competitively bid price of \$74,180 for three years.

**Mr. McIver moved to award a contract for auditing services to Bryan, Truesdale, Adkins and Williams, PA Certified Public Accountants and Financial Advisors for the competitively bid price of \$24,000 for 2008, \$24,720 for 2009, and \$25,460 for 2010 for a total of \$74,180 for three years. Mr. Burnaford seconded the motion. Motion carried unanimously.**

### **E. SATAX Committee Reappointments**

Mr. McIver stated that previous year members were contacted and agreed to serve another annual term. The membership is guided by SC Code of Laws 6-4-25.

**Mr. Lipuma motioned to approve Elizabeth King, Roger Warren, Pam Harrington, Bill Daniel, Bill Blizard, Diana Permar and Gail Vandall to the FY 2008-2009 State Accommodations Tax Committee. Mr. Orban seconded the motion. Motion carried unanimously.**

### **F. Planning Commission Appointment**

Mayor Wert announced that Ms. Jo Ann Makely, previous Chair and vice-chair of the Planning Committee, has purchased a home on Seabrook Island and will be moving there permanently. For this reason, she will be ineligible for Planning Committee membership and thus announced her resignation.

**Mayor Wert motioned to approve the nomination of Mr. Peter Trees to fill the vacant seat on the Planning Commission with the term to expire in 2011. Mr. McIver seconded the motion. Motion carried unanimously.**

## **G. Proclamation American Red Cross**

**Mayor Wert proclaimed March 2008 as American Red Cross month on Kiawah Island.**

## **X. Committee Reports:**

### **Environmental Committee**

Mr. Lipuma stated that trapping began on February 28, 2008 for a GPS bobcat study. So far, two bobcats have been trapped. The bobcat survey was featured on ABC News 4 and the clip of the video can be viewed on the Town's website. There have been 45-50 reported cases of raccoon distemper on the island and the majority of them were euthanized. A juvenile red tail hawk was rescued and failed to thrive due to malnourishment. Mr. Lipuma reported that expired batteries can be dropped off at the Nature Center for recycling.

### **Arts Council**

Mr. Lipuma stated that the Arts Council's previous two events were big hits. They are looking forward to the upcoming events: the Bill Jameson Art Demonstration and Tommy Gill Jazz performance. He also announced that several pending events have been finalized. For a detailed listing of these events please see the Season Planner on Page 4. Some of proposed events for the 2008-2009 season include a jazz cruise, beach music, and a brass Christmas recital.

### **Kiawah Island Parkway Construction**

Mr. Orban reported the work continues to find possible land alternatives for mitigation for the impacted wetlands. The Town met with representatives from OCRM on March 11, 2008 to address mitigation options. Mr. Orban concluded by discussing the dangerous area near Cinder Creek Roadway, stating that there are orange cones in that area due near bike and pedestrian accidents. The orange cones will remain until KICA obtains ARB approval for permanent warning/barrier devices.

### **Financial Affairs**

Mr. McIver announced that the Ways and Means Committee had approved the expenditure of \$3,600 for the purchase of three new defibrillators to replace the existing machines. The new AED Machines will be purchased at a discount price of \$3,600 rather than the originally quoted \$6,000. The machines will be stored in council chambers, the main gate, and with beach patrol. Mr. McIver also noted that the Town has been awarded the Certificate of Excellence in Financial Reporting for the 4<sup>th</sup> consecutive year from the Government Finance Officer's Association.

## **Sea Island Issues**

Mr. Burnaford stated that he had attended the County Council meeting where there was supposed to be action taken on the 2000 update of the road study. However, this item was postponed due to lack of communication between the City of Charleston and the County of Charleston. The two entities had differing corridor recommendations pertaining to Maybank Highway. Mr. Burnaford stated that the Planning Departments of both entities should be working together to achieve the goal; rather than not communicating. Mr. Burnaford also stated that the Johns Island Council is working to develop a committee that will discuss a cohesive response for the fixing of roads on Johns Island. This issue is supposedly separate from the I-526 issue. Mr. Burnaford stated that he believes zoning, not road construction, is the density issue. Once again, Mr. Burnaford urged those in attendance to contact County Councilman Paul Thurmond in order to voice their opinion on the roads.

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

The Town is continuing to expand its "Going Green" initiative, and a "Green Team" has been formed. The Town has recently submitted a grant to DHEC for recycling and waste reduction programs on the Island. The Town also submitted a MASC Annual Achievement Award for the completed Beach Renourishment Project. The Town has submitted its second Palmetto Pride Tree Grant which will assist in landscaping the newly paved parking lot area. The Town is continuing to work on a Town Balanced Scorecard which will include objectives, goals, and measures of each department.

### **XII. Mayor's Report**

Conversations continue between the Town and the Resort on the Development Agreement. The Mayor stated that the beach parking at the Ocean Course will be available, but the determination of the site of the parking lot will not take place until the old clubhouse is destroyed. The parking lot will provide walking access to the beach. Mayor Wert stated that it is his opinion that there will never be a consensus on the roads and that someone is going to have to step up and make a decision. He also announced that KPOG is sponsoring a roads information meeting on March 26, 2008 at 7:30 at the Sandcastle.

### **XIII. Citizens' Comments/Questions**

**Wendy Kulick, 38 Marsh Edge Lane,** Mrs. Kulick asked what effect the outbreak of raccoon distemper will have on the Island's fox population.

**XIV. Council Members Comments**

Mr. Burnaford stated that the work being done around River Road and Betsy Kerrison Parkway is pertaining to a Planned Unit Development that has been in the works since 1985.

Mr. McIver had no comment.

Mr. Orban asked Mr. Burnaford if 526 is a committed process. Mr. Burnaford replied that he did not know for sure, but he hopes it is in his lifetime. Mr. Orban also asked if the widening of the road was a County Council decision. Mr. Burnaford replied that it is addressed in the County’s report, but it looks as if it is the city’s (Charleston) responsibility to widen Maybank road.

Mr. Lipuma stated that a large portion of Maybank Road is located within the City and they would have more authority to act. He also stated that he attended the County Comprehensive Plan update session and in his opinion, it received very mixed reviews. Mr. Lipuma stated that when they discussed the beach communities the consensus was to defer to the comprehensive plans of those communities.

Mayor Wert stated that Congressman Brown, Senator McConnell, Congressmen Stavrinakis and County Councilman Timothy Scott all say that I-526 will happen.

**XV. Executive Session-Legal Matters**

**Mayor Wert moved to adjourn the regular meeting at 3:37 PM to convene the executive session in the upstairs conference room; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**No votes or actions took place.**

**XVI. Adjournment:**

**The meeting was adjourned at 5:00PM.**

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