



**TOWN OF KIAWAH ISLAND**

21 BEACHWALKER DRIVE • KIAWAH ISLAND, SC 29455 • (843) 768-9166 • FAX (843) 768-4764

William G. Wert, Mayor

Council Members

Alan L. Burnaford  
Charles R. Lipuma  
Donald H. McIver, Jr.  
G. Steven Orban

Town Administrator

Tumiko Rucker

**TOWN COUNCIL PUBLIC HEARING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS**

**March 6, 1:30 PM**

- I. Call to Order**
- II. FOIA:** Notice of this meeting has been published, posted, and faxed in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.
- III. Roll Call**
- IV. Public Hearing:**
- A. Ordinance 2007-01 to Amend Article 12A-216. Table 2M: Waterfront Development Standards and to Adopt Parcel Specific Setback requirements for certain lots**
- Public Comments & Public Input**
- V. Adjournment**

posted 3-1-07  
AS



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Order 31-07  
AS

**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
March 6<sup>th</sup>, 2007, 2:00 PM**

William G. Wert, Mayor

Council Members

Alan L. Burnaford

Charles R. Lipuma

Donald H. McIver, Jr.

G. Steven Orban

Town Administrator

Tumiko Rucker

Agenda

- I Call to Order
- 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
- V. Employee Recognition- Rusty Lameo
- VI Approval of Minutes
  - A. Town Council Meeting: February 6<sup>th</sup>, 2007
- VII Citizens Presentation: None
- VIII Old Business: None
- IV New Business:
  - A. Ordinance 2007-01 An Ordinance to Amend Article 12A-216. Table 2M: Waterfront Development Standards (1<sup>st</sup> Reading)
  - B. SATAX Committee Appointment
  - C. Contract Approval- Telephone System Replacement
  - D Website Quote for Town of Kiawah Island's Website
  - D. Public Safety Committees response to dangerous dog and bicycle helmet concerns
  - F. Environmental Management 2006 year end report
- X Correspondence
- XI Committee Reports
- XII Town Administrator's Report
- XIII Mayor's Report
- XIV Citizens' Comments/Questions
- XV Council Members Comments
- XVI Executive Session/ Personnel Matters and Legal Matters
- XVII Adjournment



**TOWN OF KIAWAH ISLAND**

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William G. Wert, Mayor

**TOWN COUNCIL PUBLIC HEARING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
March 6, 1:30 PM**

Council Members  
Alan L. Burnaford  
Charles R. Lipuma  
Donald H. McIver, Jr.  
G. Steven Orban

Town Administrator  
Tumiko Rucker

- I. Call to Order: Mayor Wert called the meeting to order at 1:30 PM.**
- II. 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.
- III. Roll Call**

Present: William G. Wert, Mayor  
Council: Don McIver  
Charles R. Lipuma  
G. Steven Orban

Also Present: Tumiko Rucker, Town Administrator  
Amber Simmons, Town Clerk  
Dennis Rhoad, Town Attorney

Absent: Alan L. Burnaford, Mayor Pro Tem

**IV. Public Hearing:**

- A. Ordinance 2007-02 to Amend Article 12A-216. Table 2M: Waterfront Development Standards and to Adopt Parcel Specific Setback requirements for certain lots**

Mayor Wert noted that the ordinance number, which was 2007-01 on the agenda, was a typographic error. The correct ordinance number is 2007-02. Mayor Wert also noted some administrative changes to the ordinance. Mayor Wert then opened the floor for public comments or input for ordinance 2007-02, which is an Amendment to Article 12A-216. Table 2M: Waterfront Development Standards and to Adopt Parcel Specific Setback requirements for certain lots.

**Public Comments & Public Input**

Amanda Mole, Kiawah Island Architectural Review Board, stated that there is continued discussion with the Planning Commission subcommittee pertaining to the definition for the setback criteria if the critical lines were changed. Ms. Mole also noted that additional information is requested regarding prohibited activities in buffer zones to be consistent with the Architectural Review Board. Ms. Mole stated that several of the issues have already been addressed but additional wording is needed before the ordinance will be finalized.

Wendy Kulick, 38 Marsh Edge Lane, asked whether the changes in wording to the ordinance would be considered substantive changes, thereby requiring another first reading to the ordinance?

**V Adjournment:**

**Mr. Lipuma moved to adjourn the meeting at 1:35 PM, motion seconded by Mr. Orban. Motion carried unanimously.**

Submitted by Amber Simmons  
Amber Simmons, Town Clerk

APPROVED: William G. Wert  
William G. Wert, Mayor

DATE: 4-3-07

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



**TOWN OF KIAWAH ISLAND**

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**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS**

**March 6<sup>th</sup>, 2007, 2:00 PM**

**Minutes**

William G. Wert, Mayor

Council Members

Alan L. Burnaford

Charles R. Lipuma

Donald H. McIver, Jr.

G. Steven Orban

**I Call to Order:** Mayor Wert called the meeting to order at 2:05 PM. Town Administrator  
Tumiko Rucker

**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: Don McIver  
Charles R. Lipuma  
G. Steven Orban

Also Present: Tumiko Rucker, Town Administrator  
Amber Simmons, Town Clerk  
Dennis Rhoad, Town Attorney

Absent: Alan L. Burnaford, Mayor Pro Tem

**V. Employee Recognition- Rusty Lameo**

Mayor Wert recognized Rusty Lameo as the longest serving employee for the Town of Kiawah Island. Mayor Wert presented Mr. Lameo with a certificate of appreciation and a clock indicating his ten years of service.

**VI Approval of Minutes**

**A. Town Council Meeting: February 6<sup>th</sup>, 2007**

Mr. McIver moved to approve the February 6<sup>th</sup>, 2007 minutes; motion seconded by Mr. Orban. Mr. Lipuma and Mayor Wert made corrections to the minutes.

With those corrections, the minutes were approved as submitted.

**VII Citizens Presentation:**

Dr. Charlie Davis and Dr. Arthur Booth from The Barrier Island Free Medical Clinic presented to the Mayor and Council information pertaining to their free medical clinic on Johns Island. Dr. Davis explained the types of services that would be offered, and what the criteria would be for patients to be seen at the clinic. Dr. Booth said that the clinic would service low-income families living below the poverty level.

**VIII Old Business: None****IV New Business:****A. Ordinance 2007-02 An Ordinance to Amend Article 12A-216, and Table 2M: Waterfront Development Standards (1<sup>st</sup> Reading)**

Mayor Wert said that there are some administrative changes to the ordinance and listed the corrections. Mayor Wert explained that Exhibit A, which is Appendix, 12G, is a work in progress and will be a compilation of all critical line properties. Mayor Wert noted that these changes were minor and not substantive changes. Mayor Wert said that during the public hearing, which was prior to the Town Council meeting, comments were made about the ordinance. Mayor Wert stressed that the changes were technical changes and not substantive changes. He also noted that another public hearing would not be required.

**Mr. Orban moved to approve first reading of Ordinance 2007-02; motion seconded by Mr. McIver. Motion carried unanimously.**

**B. SATAX Committee Appointment**

**Mr. McIver moved to appoint Elisabeth King to the SATAX Committee; motion seconded by Mr. Lipuma. Motion carried unanimously.**

Mr. McIver noted that Ms. King would replace Dylan Jones.

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

Mr. McIver said the Ways Means Committee met on March 5, 2007 and discussed a number of options and bids to replace the Town's current telephone system. It was concluded by the Ways and Means Committee that additional information is needed before any action can be taken. The Ways and Means Committee recommended that an outside consultant be used to

provide a recommendation to the Ways and Means Committee for the proper system.

**Mr. McIver moved to table this item until the next Town Council meeting; motion seconded by Mr. Orban. Motion carried unanimously.**

**D Website Quote for Town of Kiawah Island's Website**

Mayor Wert said that the Ways and Means Committee met on March 5, 2007 and recommended that the company VC3 be presented to Town Council for hosting the Town's website. Mayor Wert noted that VC3 is a qualified company and also performs website hosting for various Municipalities.

**Mayor Wert moved to approve the Website Quote from VC3; motion seconded by Mr. McIver. Motion carried unanimously.**

**E Public Safety Committees response to dangerous dog and bicycle helmet concerns.**

Mr. Orban said that he canvassed the Public Safety Committee and received a response from each member giving their opinions on the dangerous dog ordinance and the bicycle helmets concerns.

The committee unanimously agreed that the use of helmets by adults is a personal choice. It would be very difficult to enforce such an ordinance considering the number of visitors we have on the island. We would hope that parents will require their children to wear helmets, but again that is a personal matter.

Since we cannot, per South Carolina State Statute define a "vicious dog" by breed (i.e. pit bull rottweiler, etc) it would be difficult to craft legislation to define a "vicious dog".

We recommend considering strengthening our leash law as follows:

- 1.) Eliminate the voice command concept. All dogs would have to be on a leash at all times. This would create problems for people who have invisible fences and who enjoy running with their dogs on the beach.
- 2.) If a dog bites or attacks a person or another dog, it should be banned from the Island. This language is not in our present ordinance and could be added.

Enacting either of the above would cause dog owners to be up in arms and enforcement would be difficult considering the number of visitors.

**Mr. Orban and the Public Safety committee recommended that we address these issues through education.**

**F. Environmental Management 2006 year-end report**

Mr. Lipuma presented to Town Council for their approval the Environmental Management 2006 Year-End Report, which was prepared by Mr. Jordan.

**Town Council approved the Environmental Management 2006 Year-End report, which is available for review on the Town's website.**

**X Correspondence- None**

**XI Committee Reports**

**Environmental Committee**

Mr. Lipuma said that there have been six alligators that have died on the island in the past twelve months. The Kiawah Island Community Association, Jim Jordan, and Mr. Rhodes of the SCDNR are in the process of establishing a protocol for testing the alligators. The Kiawah Island Community Association will be hosting a fishing tournament on May 5, 2007 prizes will be given to the winners. Mr. Lipuma said that there was one wildlife call on January 3, 2007 at the River Course Clubhouse for an injured bald eagle, which died in transport to the Raptor Center of reproductive complications. Mr. Jordan conducted deer spotlight surveys from January 16, 2007 through January 18, 2007. The surveys concluded that there are fifty-one deer per square mile. The piping plover monitoring is being conducted twice every month from November 1, 2006 through February 15, 2007. Then the monitoring will be conducted twice every ten days from February 15, 2007 through April 15, 2007. The piping plover numbers have stabilized to winter levels which is twenty birds compared to fourteen or sixteen from last year. Mr. Lipuma provided an update on the KINHC/TOKI Bobcat GPS Collar Study, the supplies have been ordered and the collars have been tested and modified over the past few weeks. Mr. Jordan and Mr. Rice will start trapping and placing collars on the bobcats within the next week. Mr. Lipuma noted that all the wildlife brochures have undergone a complete revision and are now available.

The Town will conduct another clean up between March and May the exact date will be posted on the website. The Town received a grant from Palmetto Pride for twenty-seven trees which will be planted on the island in various locations.

### **Arts Council**

Mr. Lipuma said that the Candlelight Camber Concert that was held on February 18, 2007 was well attended and well received. Mr. Lipuma said that the Jazz Concert held on March 1, 2007 was a smash hit despite the weather and was well attended. Mr. Lipuma provided a detailed list of upcoming events, which are as follows: Enrique Graf and Lee Chin will perform on March 11, 2007 at Church of Our Savior, Fredrick Moyer will perform March 18, 2007 at Church of Our Savior, The Country Concert will feature Cleve Francis and Friends on April 21, 2007 at the East Beach Conference Center, and Silent Movie Night will be April 25, 2007 at the Sandcastle featuring "Goldrush". A French Cabaret singing concert will perform on May 2, 2007 at the Sandcastle.

Mr. Lipuma said that he and Mary Johnson met with Ellen Dressler Moryl, Director of Cultural Affairs, who is bringing Piccolo Spoleto events to the Johns Island Community. Mrs. Moryl is in the process of coordinating an event to be held on Kiawah Island. The promotion will be "Opera is for Everyone".

### **Public Safety**

Mr. Orban said that the Public Safety Committee did not meet, however they did discuss the issue of bicycle helmets and the dangerous dog concerns.

Mr. Orban also provided an update on the alterations at the roundabout. The alterations were completed by Three Oaks to prevent further damage to the landscaping, which was caused by vehicular traffic.

### **Financial Issues**

Mr. McIver said that on March 5, 2007 the Ways and Means Committee met with the Town's investors from Wachovia. Mr. McIver said that our performance is very good considering the limitations set by the state for investing.

Mr. McIver said that the Town is still searching for a new treasurer.

### **Communications Committee-**

No report

## **XII Town Administrator's Report**

Mrs. Rucker said that the SATAX applications are still available at Town Hall with a return date of March 16, 2007 at 12:00 PM. Mrs. Rucker further stated that

the SATAX committee will met on March 23, 2007 to review the submitted applications.

Mrs. Rucker said that Town has been receiving budget requests for the new fiscal year 2008.

Mrs. Rucker said that an additional page has been added to the Towns website for Arts Council events and meetings. Mrs. Rucker also noted that a new enclosed bulletin board would be installed at Town Hall for meeting notifications and events.

### **XIII Mayor's Report**

Mayor Wert said that he and Joe Bunting are currently working on plans to re-landscape the area in front of the main gate where the flagpoles are located. The reason for the re-landscaping is because the area is overgrown.

Mayor Wert stated that The Town of Kiawah Island's appreciation luncheon would be held on April 5, 2007 at the Sandcastle.

Mayor Wert encouraged people to attend the Senior PGA tournament, which will be May 21, 2007 through May 27, 2007 on the island.

Mayor Wert expressed his condolences to the families of Mrs. Gloria Pollis and Mr. Browning Crow.

Mayor Wert thanked Dick Sula and Avril Fenwick for their hard work and dedication while serving on the Kiawah Island Community Association Board.

### **XIV Citizens' Comments/Questions**

None

### **XV Council Members Comments**

Mr. McIver did not have any comments.

Mr. Orban did not have any comments.

Mr. Lipuma said that he attended a meeting on February 12, 2007 at the Saint John's Island High School in which a discussion was held pertaining to the Johns Island roads. Mr. Lipuma said that the meeting was well attended and the theme of the meeting was to fix the Johns Island roads. The thrust of the meeting was on stopping the I-526 extension and several people wanted the funding for the I-526 extension to be used to fix the roads. During the meeting the officials indicated

that the funds for the I-526 extension project have already been allocated, and that they were present to address the current road concerns.

Mr. Burnaford and Mr. Lipuma met with Mr. Warren, Mr. Dozier, and Mr. Permar on February 21, 2007 to discuss the possibility of a development agreement with the Resort. The Town's primary concern is to preserve green space, parkland, and amenities.

Mr. Lipuma met with Mr. Permar on March 6, 2007 and reviewed all the Resorts properties, parcel, acreage, and the current zoning. Mr. Lipuma said that Mr. Permar would need to review a few items and developed some additional information. Mr. Lipuma said that the discussions are to continue and that he will provide updates periodically.

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

**Mayor Wert moved to adjourn the Executive Session at 4:05 PM; motion seconded by Mr. Orban. Motion carried unanimously.**

**XVII Adjournment:**

**Mayor Wert moved to adjourn the regularly scheduled Town Council meeting at 3:05 PM, and moved into Executive Session; motion seconded by Mr. McIver. Motion carried unanimously.**

Submitted by Amber Simmons  
Amber Simmons, Town Clerk

APPROVED: William G. Wert  
William G. Wert, Mayor

DATE: 4-3-07

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

**ROLL CALL**

**Town Council Meeting**

**03-06-07**

**2:00 PM**

Bill Wert, Mayor        ✓

Al Burnaford        7/15 ✓

Charles Lipuma        ✓

Don McIver        ✓

Steve Orban        ✓

Tumiko Rucker, Town Administrator        ✓

Amber Simmons, Town Clerk        ✓

Call to order:                   

Adjourn:                    moved to adjourn the meeting at                   

Motion seconded:



TOWN OF KIAWAH ISLAND

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Revised Letter

Memo To. Bill Wert

William G. Wert, Mayor

CC: Town Council Members  
Tumiko Rucker  
Rusty Lameo  
Joe Croughwell

Council Members  
Alan L. Burnaford  
Charles R. Lipuma  
Donald H. McIver, Jr.  
G. Steven Orban

Town Administrator  
Tumiko Rucker

RE: Dogs and Bicycle Helmet

As per your request at the last Town Council Meeting, the Public Safety Committee has considered the two issues and makes the following comments:

1. Should we have a mandatory bike helmet law?

The committee unanimously agreed that the use of helmets by adults is a personal choice issue. It would be very difficult to enforce such an ordinance considering the number of visitors we have on the island. We would hope that parents will require their children to wear helmets, but again that is a personal matter.

We recommend encouraging the use of helmets through education such as articles in *Town Notes* and the *Digest*. We could also encourage rental companies to consider recommending the use of helmets in their rental literature

2. Should we have a "vicious dog" ordinance?

Since we cannot, per South Carolina State Statute define a "vicious dog" be breed (i.e. pit bull rottweiler, etc) it would be difficult to craft legislation to define a "vicious dog".

We recommend considering strengthening our leash law as follows:

- 1.) Eliminate the voice command concept. In other, all dogs would have to be on a leash at all times. This would create problems for people who have invisible fences and who enjoy running with their dogs on the beach.
- 2.) If a dog bites or attacks a person or another dog, it should be banned from the Island. This language is not in our present ordinance and could be added.

Enacting either of the above would cause dog owners to be up in arms and enforcement would be difficult considering our number of visitors.

Steve Orban