

POSTED 4-27-06
@ 2:00 pm



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**

May 1, 2007 1:30 PM

Agenda

- I. Call to Order**
- II. FOIA:** Notice of this meeting has been published, and posted accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.
- III. Roll Call**
- IV. Public Hearing:**
 - A. Budget FY 2007/2008**
 - Public Comments & Public Input**
- V. Adjournment**



TOWN OF KIAWAH ISLAND

21 BEACHWALKER DRIVE • KIAWAH ISLAND, SC 29455 • (843) 788-9166 • FAX (843) 788-4764

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

May 1, 2007 1:30 PM

Minutes

William G. Wert, Mayor

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 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: Alan L. Burnaford, Mayor Pro Tem
Don McIver
Charles R. Lipuma

Also Present: Tumiko Rucker, Town Administrator
Amber Simmons, Town Clerk

Absent G. Steven Orban

IV Public Hearing:

A. Budget FY 2007/2008

Mayor Wert opened the floor for public input and public comments.

Wendy Kulick, 38 Marsh Edge Lane, posed numerous questions about the various line items throughout the FY 07/08 budget.

Art Morgenstern, 164 Marsh Island Drive, asked why \$50,000 was listed in the Beverage Permit fund for budget FY07-08 for a feasibility study for the Community Performing Arts Center. Mr. Morgenstern also commented on the \$250,000 recommendation by the State Accommodation Tax Committee for the Community Performing Arts Center. Mr. Morgenstern asked why the Town was using funds prior to receiving public input on the Community Performing Arts Center.

In addition, Mr. Morgenstern thanked the members of Council for allowing the Arts Council to continue bringing various events to the island.

Mayor Wert noted that the \$50,000 in the Beverage Permit fund is in the current FY 2006/2007 Budget.

V. Adjournment:

Mr. Lipuma moved to adjourn the meeting at 1:50 PM; motion seconded by Mr. Burnaford. Motion carried unanimously.

Submitted by Amber Simmons
Amber Simmons, Town Clerk

Approved: William G. Wert
William G. Wert, Mayor

Date: 06-12-07

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



TOWN OF KIAWAH ISLAND

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

TOWN COUNCIL MEETING
KIAWAH ISLAND MUNICIPAL CENTER
COUNCIL CHAMBERS

May 1, 2007, 2:00 PM

Agenda

William G. Wert, Mayor

Council Members

Alan L. Burnaford

Charles R. Lipuma

Donald H. McIver, Jr.

G. Steven Orban

Town Administrator

Tumiko Rucker

- 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. Approval of Minutes
 - A. Town Council Minutes: April 3, 2007
 - B. Town Council Minutes for Executive Session: April 5, 2007
 - C. Town Council Minutes for Budget Workshop: April 16, 2007
 - D. Town Council Minutes for Budget Workshop: April 19, 2006
- VI. Citizens Presentation:
- VII. Old Business:
 - A. Kiawah Island Parkway Construction Status
 - B. Landscaping Improvements
- VIII. New Business:
 - A. Appointment of Town Treasurer
 - B. Conservancy request for additional funding
 - C. Ordinance 2007-04: To Adopt the FY 07/08 Budget (1st Reading)
 - D. Public Meeting May 14, 2007
- IX. Correspondence
- X. Committee Reports
- XI. Town Administrator's Report
- XII. Mayor's Report
- XIII. Citizens' Comments/Questions
- XIV. Council Members Comments
- XV. Executive Session: Legal Matters
- XVI. Adjournment



TOWN OF KIAWAH ISLAND

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

**TOWN COUNCIL MEETING
KIAWAH ISLAND MUNICIPAL CENTER
COUNCIL CHAMBERS
May 1, 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 2:00 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: Alan L. Burnaford, Mayor Pro Tem
Don McIver
Charles R. Lipuma

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

Absent G. Steven Orban

V. Approval of Minutes

A. Town Council Minutes: April 3, 2007

Mr. Burnaford moved to approve the minutes for April 3, 2007; motion seconded by Mr. Lipuma.

Mayor Wert, Mr. Burnaford, and Mr. Lipuma made corrections to the minutes.

With their corrections the minutes were approved unanimously.

B. Town Council Meeting for Executive Session: April 5, 2007

Mr. McIver moved to approve the comments made following the

April 5, 2007 Executive Session meeting; motion seconded by Mr. Lipuma. Motion carried unanimously. Minutes approved as submitted.

C. Town Council Minutes for Budget Workshop: April 16, 2007

Mr. Burnaford moved to approve the minutes for April 16, 2007; motion seconded by Mr. McIver.

Mr. Burnaford, Mr. Lipuma and Mr. McIver made corrections to the minutes.

With their corrections the minutes were approved unanimously.

D. Town Council Minutes for Budget Workshop: April 19, 2006

Mayor Wert noted that the Ways and Means Committee approved the Budget Workshop minutes for April 19, 2006, however, the Council had not, so as a housekeeping matter the minutes were being presented for approval by the full Council.

Mr. Burnaford moved to approve the minutes for April 19, 2006, motion seconded by Mr. Lipuma.

Mr. Lipuma made a minor correction on page 3 of the minutes.

With this correction the minutes were approved unanimously.

VI. Citizens Presentation: None

VII. Old Business:

A. Kiawah Island Parkway Construction Status

Mrs. Rucker noted that on April 25, 2007 Mr. Jordan, Mr. Orban and she met with Fred Kicklighter, from the LPA Group and Ward Edwards, via conference call. During the conference call Mrs. Rucker noted that the Town inquired about the status of written comments from the permitting agencies that were made during the public input period. It was noted that the comment period for the permit applications for the Kiawah Island Parkway project had expired; however the Town had not received the written comments from the permitting agencies. The Town would not know what the permitting agencies are requiring for mitigation of the construction until the comments are received. Once the Town receives the written comments, then we will know what the next steps are to begin the project. The Town is still anticipating that construction should occur in the fall of 2007. Mrs. Rucker said that an update would be given as soon as the Town receives the information.

Mayor Wert noted that the principal concern for the project is the mitigation of wetlands.

B. Landscaping Improvements

Mayor Wert said that the Town currently has funding available in the 2006-2007 budget to landscape in front of the Kiawah Island front gate in the County Accommodations Tax Fund in the beach, ground, and upkeep line item, in the amount of \$17,000. In addition, there is funding available in the Hospitality Fund and the Contingency line item in the amount of \$40,750.

Mayor Wert moved to use some of the existing funds available to improve the landscaping at the front gate and along the Kiawah Island Parkway; motion seconded by Mr. McIver.

Mr. Lipuma asked what types of upgrades would occur during the landscaping improvements.

Mayor Wert responded to Mr. Lipuma's question, and said that the following improvements would occur: replacement of the existing flagpoles, upgrades to the Kiawah Island sign, relocation of the existing palm trees, and upgrades to the flowers and overall landscaping.

Motion carried unanimously.

VIII. New Business:

A. Appointment of Town Treasurer

Mr. McIver moved to appoint Kenneth Gunnells as Town Treasurer; motion seconded by Mr. Burnaford. No discussion. Motion carried unanimously.

B. Kiawah Natural Habitant Conservancy request for Additional Funding

Mayor Wert moved to increase the \$100,000 grant to the Kiawah Island Natural Habit Conservancy to \$200,000 per year with a commitment of \$1,000,000 over a five-year period. Mayor Wert asked if there was a second. The motion was not seconded and did not carry.

Mayor Wert noted that the Town's current commitment of \$100,000 to the Kiawah Island Natural Habit Conservancy and the additional resources we offer to the Conservancy demonstrate our commitment to this program.

Mayor Wert noted that this Town Council would not commit future Town Councils to a \$200,000 a year commitment totaling a million dollars over a

five-year period.

Mr. Lipuma said that he agrees with the rest of the Town Council members to not increase the grant to \$200,000. Especially given that the Kiawah Island Community Association could now provide funding through the recent covenant change.

C. Ordinance 2007-04: To Adopt the FY 07/08 Budget (1st Reading)

Mayor Wert moved to approve 1st reading of ordinance 2007-04; motion seconded by Mr. Burnaford. Motion carried unanimously.

Mr. McIver answered the numerous questions that were asked during the Public Hearing pertaining to the FY 07/08 budget.

Mayor Wert noted that these are budgeted items and if the money is not needed, then the funds would not be spent. Mayor Wert also noted that any item more than \$10,000 must come before the Town Council for approval.

D. Public Meeting May 14, 2007

Mayor Wert said that a public meeting is scheduled for May 14, 2007 in the Council Chambers to receive public input on a potential Development Agreement between the Town of Kiawah Island and Kiawah Island Golf Resort. Mayor Wert noted that such a potential Development Agreement could affect all properties owned by Kiawah Island Golf Resort. Mayor Wert briefly explained that this meeting is not a public hearing, as required by law, but a public meeting. In the event that the Town should enter into a Development Agreement, then the required public hearings would be held. In addition, Town Officials will be available on two occasions to clarify the zoning maps and zoning definitions for the Kiawah Island Golf Resort Properties. These information sessions will be held on Monday May 7, 2007 from 9:00 AM to 11:00 AM and Monday May 9, 2007 from 3:00 PM to 5:00 PM in the Council Chambers.

IX. Correspondence - None

X. Committee Reports

Environmental Committee

Mr. Lipuma stated that on April 19, 2007 a breach at the East End, caused ocean water to enter the fresh water wetlands in the area of the Ocean Course Clubhouse. At that time we experienced an unusually high tide of 7.6 feet. On Tuesday, April 24, 2007 the breach was closed in about 4 to 5 hours. The

reconstructed berm is holding nicely.

On Saturday, April 28, 2007 we conducted our second Great American Cleanup along the Kiawah Island Parkway and Beachwalker Drive. Mr. Lipuma noted that sixteen volunteers participated and the cleanup was completed in 3 to 4 hours. Mr. Lipuma noted that the volunteers collected 28 bags of trash totaling 560 pounds, and a large pile of construction debris and lumber. The volunteers received a light breakfast and a T-shirt for participating in the cleanup. Mr. Lipuma recognized the new Town Treasurer, and his family, and Susan Tousingnant, a visiting resident, for participating in the cleanup.

Mr. Lipuma said that Mr. Lameo will continue to conduct weekly beach sweeps to assess beach litter.

There were six wildlife calls during the month. Three animals were hit and killed by cars, they were a 3-foot alligator, an adult bobcat and a female deer.

The GPS Bobcat Study is completed. A total of five bobcats were collared, 3 males and 2 females. Mr. Lipuma noted that the den of one female bobcat revealed 2 male kittens.

Animal Planet's Spring Watch filming on Kiawah Island is complete. The first episode aired on April 21, 2007.

Arts Council

Mr. Lipuma said that on April 21, 2007 Cleve Francis and Friends performed at the East Beach Conference Center. It was a gala event for enjoying Country music and dancing. Mr. Lipuma noted that over 200 people attended the event.

On May 3, 2007 a French cabaret singer will perform at the Sandcastle at 7:00 PM.

On May 6, 2007 "Prelude to Piccolo Spoleto" is scheduled at Holy Spirit Catholic Church. During this event the Charleston Symphony Orchestra, Soprano Mary Hubbell, and the Terranova Piano Trio will perform at 3:00 PM.

On May 17, 2007 the Town is hosting the Charleston Symphony Orchestra at Freshfields at 6:00 PM.

On May 21, 2007 Silent Movie Night featuring Charlie Chaplin will be shown at the Sandcastle at 7:00 PM.

Financial

Communication Committee

Mr. Burnaford said that the Communications Committee met and discussed combining *Town Notes* and *The Digest* into one mailing unit. *Town Notes* will continue to contain Town of Kiawah issues, and *the Digest* will continue to contain KICA information. Both publications will be mailed as one document to all property owners.

The Communications Committee is committed to demonstrating the philanthropy of the Kiawah property owners. The committee will work with the *Post & Courier* to publish pictures of Kiawah residents engaged in philanthropic activities. For example, the presentation of a check for the monies raised for the Gibbes Museum will be photographed and published in the *Post and Courier*.

Johns Island Council

Mr. Burnaford attended the Johns Island Council meeting in April. During the meeting Yvonne Gilreath, from the Council of Governments (BCDCOG), reported on a grant that the COG received which will be used to encourage tourists to travel on Bohicket Road/Betsy Kerrison Parkway. Bohicket Road has been designated as Scenic Highways.

XI. Town Administrator's Report

Mrs. Rucker stated that the flags would be flown at half-staff on Wednesday, May 2, 2007 in honor of fallen Law Enforcement officers.

Mrs. Rucker provided an update on ongoing projects at Town Hall. The telephone system replacement at Town Hall is underway and the wiring has been completed. Mrs. Rucker said that she has been working with Stan Padgett on the review of the chosen vendor Nuvox. The projected completion date for this project is the end of May. The website migration and the domain registration transfer have been completed by VC3 and we are anticipating that the website will be fully operational by the end of the week.

Mrs. Rucker recognized Amber Simmons, Town Clerk, for her efforts to secure and maintain the Town's official records. She noted that Mrs. Simmons attended a training class at the State Archives Office on records management. Mrs. Rucker said that 10 years of records have been scanned and sent away for microfilming. A copy of the microfilm would be sent to the State Archives Office and an additional copy given to the Town, which will be stored off site.

In addition, Mrs. Rucker recognized Jim Jordan and Eric Rice for their role in filming Animal Planet's Spring Watch.

Mrs. Rucker noted that Town staff would participate in customer service training in conjunction with the Kiawah Island Community Association later this month.

XII. Mayor's Report

Mayor Wert said that last month during the Council meeting an individual asked about the feasibility study on the Community Performing Arts Center. They further asked when the public hearings would be held for the Community Performing Arts Center since the projected operational date is 2008?

Mayor Wert noted that the feasibility study is exactly that, a feasibility study. This study has raised many questions by property owners, all of which need to be answered. These questions need to be answered before, we as a Council, can present this information to the public. Mayor Wert said that the projected operational date of 2008 is far from being possible or probable.

Mayor Wert said that as the summer season starts and many people begin their travels, he does not believe that there will be much activity on the Community Performing Arts Center. Mayor Wert said that the next steps for the Center would be to determine funding options and to talk with several Performing Arts groups to determine if they would be interested in a facility.

Mayor Wert said that a question was raised about the "Turtles on the Town" and the decision to place the Town's turtle at Freshfields, instead of at Town Hall or the front gate. Mayor Wert said the purpose of the turtle is to encourage contributions to the South Carolina Aquarium for turtle research. Mayor Wert said that while the turtle would look very nice at our entranceway, it would get more exposure at Freshfields from Kiawah Island residents, visitors from Seabrook Island, and the Johns Island Communities.

Mayor Wert noted that the Charleston Symphony Orchestra would perform at Freshfields on May 17, 2007 with sponsorship from KRA and the Town.

Mayor Wert commented on the back flow letters, by stating that this is a mandate from DHEC and the Town is currently working with the Community Association to comprise a list of qualified plumbers to conduct the test. Mayor Wert noted that telephone calls have been made to Seabrook Island, Isle of Palms, and the Town of Mount Pleasant to see how they have conducted the back flow testing. Mayor Wert noted that Seabrook Island handles the back flow testing in the same manner the Town is. Kiawah Island Utility has sent letters to property owners about the required test and provided names of qualified plumbers to conduct the test.

Mayor Wert encouraged residents to attend the upcoming Senior PGA Tournament, which will be May 21, 2007 through May 27, 2007. Mayor Wert noted that some of the greatest players in golf would be present, and that this is a great opportunity for Kiawah Island.