

TOWN COUNCIL MEETING

Kiawah Island Municipal Center

Council Chambers

July 3, 2018; 2:00 PM

MINUTES

I. **Call to Order:** *Mayor Weaver called the meeting to order at 2:00 pm.*

II. **Pledge of Allegiance**

Present at the meeting: Craig Weaver, Mayor
John R. Wilson
Diana Mezzanotte
Jack Koach
Chris Widuch

Also Present: Stephanie Monroe Tillerson, Town Administrator
Dorota Szubert, Town Treasurer
Petra Reynolds, Town Clerk

III. **Approval of Minutes:**

A. Minutes of the Town Council Meeting of June 5, 2018

Mr. Widuch made a motion to approve the minutes of the May 1, 2018, Town Council Meeting. The motion was seconded by Mr. Wilson and the minutes were unanimously approved as amended.

IV. **Mayor's Update:**

Mayor Weaver gave an update on the former Town Administrator and Town Treasurers' cases by stating that to the best of his knowledge a sentencing date had not been made, the Town would be notified as soon as a date was determined, and the Town has not been contacted on a potential sentencing.

Mayor Weaver congratulated Mr. Bailey on the Sandcastle opening today.

Mayor Weaver reported he attend the second meeting of the Johns Island Growth Management Committee. The Committee, co-chaired by Charleston County Council Chair Rawls and Charleston Mayor Tecklenburg, aims to explore ways to improve the quality of life on Johns Island and identify funding sources for community infrastructure needs. He stated that a good portion of the meeting was listening to the input, comments, and concerns of Johns Island residents.

V. **Citizens' Comments (Agenda Items Only)**

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick questioned the State of Louisiana being the governing authority stated in the proposed All South Consulting Engineers contract. She questioned the use of the word "County," which should be "Town," and asked to be directed to the location in the proposed Citizenserve contract which would clarify who would own the data that will populate the business licensing and permitting software.

Mrs. Kulick commented on the bio for the new member being considered for the Board of Zoning Appeals not being made available before today's meeting.

Mayor Weaver indicated Mrs. Kulick that each of her questions would be addressed in the subsequent discussion of those agenda items.

VI. Consent:

A. To Consider for Approval of the All South Consulting Engineers Contract Amendment Request for Debris Monitoring

Mr. Widuch made a motion to approve the All South Consulting Engineers Contract Amendment Request for Debris Monitoring. The motion was seconded by Mr. Wilson.

Mr. Koach stated that the governing authority as Louisiana in the proposed contract submitted by All South is likely due to the location of the company. He questioned if the Town, a municipality in South Carolina could agree to another state venue to resolve any contract issues.

Mayor Weaver suggested the Council approve the contract contingent upon Town Attorney Green's approval, the state governing law being in question, as the company is located in the state of Louisiana.

Mr. Wilson amended the motion to approve the All South Consulting Engineers contract contingent upon Town Staff and the Town Attorney working with All South Consulting Engineers to change the governing law/authority to the State of South Carolina. The motion was seconded by Mr. Koach and was unanimously passed.

B. To Consider Approval of the Citizenserve Business Licenses and Permitting Software Proposal

Mayor Weaver addressed the question of data ownership in the Citizenserve Business Licenses and Permitting Software. Ms. Tillerson noted that in the Service Agreement, item two (2) *Customer Responsibilities*, it states that all customer data is owned by the customer, in this case, the Town of Kiawah.

Mr. Widuch made a motion to approve the Citizenserve Business Licenses and Permitting Software Proposal recommended by the Ways and Means Committee. The motion was seconded by Mr. Wilson and was unanimously passed.

VII. Old Business:

None

VIII. New Business:

A. Board of Zoning Appeals Appointment

Mayor Weaver stated the opening on the BZA (Board of Zoning Appeals) was created two months ago when Mr. Gilmore moved off the island. To fill the vacancy, Mayor Weaver approached a potential candidate, Morris Hanan, several weeks ago who expressed an interest in becoming involved in Town activities. The Mayor and Mr. Widuch, along with the Board Chairman have discussed with Mr. Hanan what was involved in serving on the board, and Mr. Hanan has expressed his interest in being appointed to the BZA. Members discussed if they should move forward with Mr. Hanan's appointment or wait for a bio sheet to be submitted and reviewed by Council. Mayor Weaver indicated that he was comfortable recommending Mr. Hanan for the appointment. He gave a brief review of Mr. Hanan's background in the pharmaceutical industry and noted that without planning experience would need to undergo the required training to be vetted to participate in the meetings.

Mayor Weaver made a motion to approve the appointment of Morris Hanan to the Board of Zoning Appeals. The motion was seconded by Mr. Widuch and was unanimously passed.

B. Ordinance 2018-09 - To Amend Article 14 - General Regulations, Chapter 1 - Flood Damage Prevention, Division 3 – Provisions for Flood Hazard Reduction, Section 14-173 - Special Standards - First Reading

Mr. Spicher stated that Ordinance 2018-09 would better clarify, not change, the intent of the design of breakaway walls in the Town's Flood Damage Prevention ordinance. He noted the language used was taken directly from the Technical Manuals.

Mr. Widuch made a motion to approve the first reading of Ordinance 2018-09 to Amend Article 14 - General Regulations, Chapter 1 - Flood Damage Prevention, Division 3 – Provisions for Flood Hazard Reduction, Section 14-173 - Special Standards. The motion was seconded by Mr. Koach and was unanimously passed.

C. To receive Approval to allow the Town Administrator to give extra remuneration to deserving Town employees for FY19, not to exceed a total of \$5,000 collectively.

Mayor Weaver stated that with the approval of the budget Council approved a \$5,000 budget item to allow for extra cash and/or noncash recognition for deserving Town employees, to be given at the Town Administrator's discretion. This concept was discussed at the June Council meeting and was generally accepted by Council, but the Town Attorney indicated that a specific authorization from Council was required to determine a process and grant sole authority to Ms. Tillerson to make the determinations of deserving employees.

Mayor Weaver stated that this would not be designed as a defined Town policy or a reward recognition program that would be included in the Employee Manual, but rather the proposal of an experiment over the next year. He reviewed specifics which included:

- Ms. Tillerson would have sole authority and discretion on reward recognition up to \$5,000.00 without the approval of Mayor or Council.
- An amount of 15% for taxes will be included within the \$5,000.00.

Mayor Weaver made a motion to provide the Town Administrator the authority to expend up to \$5,000.00 during the 2018-2019 budget year for cash or noncash awards to employees at the Town Administrator's discretion. The motion was seconded by Mr. Widuch.

Following discussion, the motion was unanimously passed.

IX. Other Business:
None

X. Town Administrator's Report:

Ms. Tillerson introduced Mr. Tony Vincent, the Town's liaison with Berkeley Electric. She updated Council on each of Town's Departments:

- Building Services – Bruce Spicher - With all the new growth on the Island, Mr. Bold, one of the Town's Code Enforcement Officers, has agreed to take the necessary training to become a building inspector in addition to his current duties. She indicated there were two Resort projects currently permitted, Cougar Point and the Sanctuary Chapel, with the plan review in progress for the foundation only of the Conference Center in West Beach. Plans for the hotel have not been submitted but are expected later in the fall. The Sandcastle was issued a temporary certificate of occupancy with completion expected within the next sixty days. Work is ongoing with the St. Johns Fire District on the fire apparatus access lane of the hotel.

- Environmental – Jim Jordan- The Critical habitat buoys and larger signage have been approved by the ARB (Architectural Review Board). She explained that the better signage will help with the enforcement of Town Ordinances.
- Communications – Stephanie Braswell Edgerton - The new “Wild About” video on sea turtles will be released on Thursday in the Town’s E-blast and the Town’s YouTube Channel. The third quarter of “Town Notes” will be published on Monday. Mrs. Edgerton, along with Mrs. Mezzanotte have been working with the CVB (Charleston Visitors’ Bureau) to update and enhance their website’s beach page for Kiawah. She also noted that Kiawah will be featured in next month’s “Southern Living” as one of the south’s best beaches.
- Administration – Stephanie Tillerson – The annual employee disclosure statement was sent out to employees. The completed statements will be sent to the Town attorney who will review them and report any conflicts or concerns to Council.

XI. Council Member:

- a. Committee Updates
- b. General Comments

Mr. Widuch reported there would be a vacancy on the St. Johns Fire District’s Fire Commission. One of the three Kiawah commissioners, Mr. Connolly, term is expiring in December and is not seeking reappointment. He asked that any interested community members are encouraged to apply. The opening and application are expected to be posted to the County’s website sometime in August.

Mr. Widuch also reported that he and Ms. Tillerson met with County Councilmember Joe Qualey about getting full-time deputies from the CCSO (Charleston County Sheriff’s Office) assigned to Kiawah Island. Mr. Qualey has requested the Town to provide a financial proposal, and then he will work on the approval process through Charleston County Council to give the CCSO the authority to start hiring to fill four positions this year.

Mr. Wilson reported Beachwalker Drive Redesign RFP (Request for Proposals) has been produced by the Beachwalker Drive Subcommittee and will be considered for approval and release at the next Public Works Committee meeting. He noted that there had been a concern with the timeframe of getting design and construction done prior to Memorial Day 2019, every effort will be made to meet the proposed deadline.

Mr. Wilson reported that the Geological Study of the Parkway has come in with the engineer’s report indicating that the Parkway is in pretty good shape. Mr. Lameo added the report should approximately 80% of the Parkway will have to be milled and repaved. There is a small area near the Sales Office that the subbase will have to be reworked. The report indicated that the drainage looked good, and the Town was now in the process of having them cleaned and scoped in the next three to four weeks.

Mr. Wilson reported that the speed limit sign on Betsy Kerrison Parkway coming on to the Island has disappeared, was replaced by the State, and has now disappeared again. Mr. Lameo indicated the State was notified and stated that they would put the replacement at the top of their list.

Mr. Wilson reported that the State Infrastructure Board has turned down Charleston County’s proposal for I526. He indicated that it is likely that the County will sue the State Infrastructure Bank unless Governor McMasters can appeal to the Bank Board that comes out favorably to the County for the completion of I526.

Mrs. Mezzanotte reported that the Arts Council Season Planner should be released in mid-July and included in "Town Notes." She indicated that Monday, July 23rd will be the first event of the season with the Moranz's presentation at East Beach Conference Center.

Mrs. Mezzanotte reported that the Sea Level Rise subcommittee has set up a timeline for the next two to three months and hopes to have their report finalized and ready to present to Council in October.

XII. Citizens' Comments:

Wendy Kulick – 38 Marsh Edge Lane

Mrs. Kulick thanked the Council for answering most of her earlier questions and asked about the Town seeking to recover monies that were misappropriated by the former Town Administrator and Treasurer in a civil suit. She questioned if, with the statute of limitations, the Town was required to wait until after sentencing before the suit could move forward and if there were any additional updates.

Mayor Weaver assured her that the civil actions filed by the Town are still in place and that no further decisions on any actions will take place until after sentencing is determined. He noted that discussions are taking place in the civil action against the former Town Auditors.

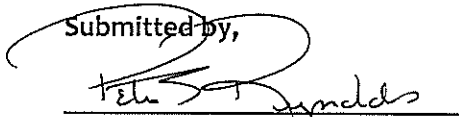
XIII. Executive Session:

None

XIV. Adjournment:

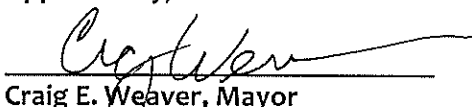
Mr. Koach motioned to adjourn the meeting at 4:30 pm. The motion was seconded by Mr. Widuch and carried unanimously.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



Craig E. Weaver, Mayor

8-10-2018
Date