

**TOWN OF KIAWAH ISLAND  
TOWN COUNCIL MEETING**  
Via Live Streaming  
July 7, 2020; 2:00 pm

Minutes

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

**Present at the meeting:** Craig Weaver, Mayor  
Chris Widuch, Mayor Pro Tem  
Maryanne Connelly, Councilmember  
Dan Prickett, Councilmember  
Klaus Said, Councilmember

**Also Present:** Stephanie Tillerson, Town Administrator  
Dorota Szubert, Town Treasurer  
Joe Wilson, Town Attorney  
Stephanie Braswell Edgerton, Town Communications Manager  
Jim Jordan, Town Biologist  
Petra Reynolds, Town Clerk

**II. Approval of Minutes:**

- A. Minutes of the Special Call Town Council Meeting of June 1, 2020
- B. Minutes of the Town Council Meeting of June 2, 2020
- C. Minutes of the Special Call Town Council Meeting of June 9, 2020
- D. Minutes of the Special Call Town Council Meeting of June 15, 2020

*Mayor Pro Tem Widuch made a motion to approve the minutes of the June 1, 2020, Special Call Town Council Meeting, the June 2, 2020 Town Council Meeting, the June 9, 2020, Special Call Town Council Meeting, and the June 15, 2020, Special Call Town Council Meeting. Councilmember Prickett seconded the motion, and the minutes were unanimously approved.*

**III. Mayor's Update:**

Mayor Weaver stated that a major concern during the budget process was the impact of Charleston County's decision not to allocate any County Accommodations Tax funding to any municipalities in the coming year. He indicated that the coastal communities, which generate a significant portion of the taxes, objected to the County's approach and offered alternatives to restore some of the funding. Mayor Weaver indicated the County Council accepted a portion of the compromise and agreed to restore some of the funding. Once their revenues exceeded what was budgeted for the coming year, funding will be allocated by a defined percentage formula, up to the amount that was received in the previous year.

Mayor Weaver stated that the Parkway project is nearing completion, with the installation of the turn lanes and bike path having been finalized. The installation of the geo-grid in the area alongside the roadway, finishing asphalt work in the outbound lane, and the landscaping project are still pending.

Mayor Weaver gave an update following the face-covering ordinance that was passed in the previous week. He stated that, for the most part, high compliance with the ordinance by both businesses and individuals had been observed without the need for enforcement. He also noted

that while there was no negative feedback on the passing of the ordinance, there were those who felt that the ordinance should have required the use of facecovering in other areas like boardwalks and bike paths.

Mayor Weaver stated the statistics over the past three months show the number of new cases in the Johns Island zip code has risen from five to seven to 204. With the steady rise in new cases, he asked that the community stay vigilant in their efforts to stay safe.

#### IV. Presentations:

##### A. Status update on the Groundwater Table and Marsh Vulnerability Studies by Lee Bundrick, Kiawah Conservancy

Mr. Lee Bundrick, with the Kiawah Conservancy, provided an update to the Town Council on the current status of the projects with the Town, as well as their preliminary findings. Produced in early June was an interim report to the Town detailing current progress. This is a joint interim report drafted by members of the project teams from the Kiawah Conservancy, College of Charleston, and South Carolina Sea Grant Consortium.

**Groundwater Table Study** proposed in 2019 was focused on investigating groundwater conditions, specifically elevation and saltwater intrusion. The project utilizes a series of shallow groundwater monitoring wells across the Island and monitoring for water level and salinity. They were installed using an Eijkelkamp auger, bailer, casing system developed for agricultural research in saturated soils. Described the installation of wells and monitoring equipment used and referenced a video produced by the Conservancy detailing the processes. There are currently 15 operational wells throughout Kiawah Island with measurements being taken with various equipment, including continuous data loggers that are currently deployed in the field. Mr. Bundrick described the current data being collected and noted a seasonal change in groundwater table elevation between mid-April and mid-May due to plant growth in the spring. They are looking to install ten additional wells and equipment by the end of the project.

**Marsh Vulnerability Study** proposed in 2019 is focused on identifying changes to vegetated shorelines within the tidal marshlands and cataloging infrastructure near or adjacent to the marsh using mapping software. Information from the study will help in drafting the Town's Marsh Management Plan and identify areas for habitat restoration efforts. Aerial imagery from 8 different years between 1977 and 2017 was used to identify marsh shorelines, with a preference for imagery taken during low tide events. The extent of shorelines covers an area between the Stono River, North Edisto River, and the southern bounds of Johns Island. Shorelines from two areas were shown and discussed: (1) at the confluence of Bass Creek and Cinder Creek and (2) the marsh east of the Kiawah River Bridge. Mr. Bundrick is currently working to clean up the data to analyze these shoreline changes through **Analysis of Marsh Boundaries Using R (a/k/a AMBUR)**. AMBUR was developed by Chester Jackson to study the shoreline changes around Jekyll Island in Georgia and the South Carolina coastlines. Data on structures in and adjacent to marsh have been mapped by the project team. Mr. Lee Bundrick showed an example of this work within the area around Rhett's Bluff.

Council members commended the work being done by the Conservancy and agreed that it would have a significant impact on making better decisions going forward

#### V. Old Business:

##### A. Status update on the OCRM 2016-2018 lines by Jim Jordan, Town Biologist

Mr. Jordan stated that OCRM (Ocean and Coastal Resource Management) jurisdictional lines are updated every eight to ten years with the previous update being done in 2012. The latest update

for Kiawah was released in 2017 and significantly repositioned the lines landward in many areas. The concern expressed by many beachfront communities created considerable conversation, which led to legislation being passed in 2018 that made changes to the revision process. Act 173 established that lines could no longer move seaward along with the newly created lines would be a hybrid, established at the most seaward position of either the 2012 or 2017 line. The lines established for the entire state in 2018, were not formalized until May of 2020. Act 173 also established a new revision cycle with the next revision to be conducted after January 1, 2024.

Mr. Jordan presented current jurisdictional lines and reviewed a comparison of the 2012 lines, the proposed 2017 lines, and the newly established lines. He noted that none of the jurisdictional lines on Kiawah have moved closer to the ocean from the 2012 lines and have no homes that are seaward of the setback line.

#### **B. Bobcat/Rodenticide Update by Jim Jordan, Town Biologist**

Mr. Jordan stated that the number of Bobcats on the Island has decreased, and the deer population has increased significantly due to the reduction of the Bobcat population. He identified the cause of the decline as the use of Second-Generation Anticoagulants (SGAs). SGAs are used to kill rodents, who consume bait accumulating super-lethal concentrations of the poison. These dead or dying rodents are eaten by a predator, such as bobcats, building up SGAs that can lead to a lethal level in the body and ultimately death.

Mr. Jordan discussed the effects on the bobcats by reviewing the known SGA deaths of the last two years and the results of the blood testing that was done earlier this year. He pointed out the mortality rate of collared bobcats in 2019 was at 66% and in 2020 to date at 50%. Historically the mortality rate was 10% or less.

Council discussion included the length of time the SGAs have been on the market and the recent shift in the industry to the use of SGAs as the probable cause for the sudden impact on the bobcat population. An in-depth discussion of the inability of the Town to regulate or ban SGAs and a strategy to pursue an educational plan, voluntary compliance, consumer-driven strategy to eliminate the use of SGA products on the Island included Mr. Ken Smith, Director of Operations, with Palmetto Exterminating and Mr. Steve Cole, Director, with the Clemson Department Pesticide Regulations.

#### **C. Sea Level Rise “Resiliency/Adaptive Management” Plan Discussion**

Mayor Weaver stated the report submitted in 2018 by the Sea Level Rise Sub-committee did three things:

1. It made the case that Sea Level Rise was an issue of concern to the Council and the community,
2. The possible impact and range over many years, and
3. Narrowed down what some of the key consequences could be.

Mayor Weaver noted the impact of the report is shown by the work being done, work on drainage and flood management by the Community Association, and the work on the groundwater and marsh studies being done by the Conservancy. After reviewing the actions having been implemented, he asked some of the former members of the sea level rise committee responsible for the original report to look at what a long-range plan would look like and how it would be implemented.

Mr. Jim Chitwood, Mr. John Leffler, Mr. Jack Kotz, and Mr. David Pumphrey, along with Mr. Lucas Hernandez and Ms. Cathy Pumphrey became the working group that took on the task. They examined what an adaptive management plan that will allow Kiawah to anticipate actions

necessary to adapt to or mitigate the unacceptable impacts of sea-level rise, flooding, and climate change might look like and how to initiate it. The group's work generated the "Recommendations for Developing an Adaptive Management Plan for Addressing the Impacts of Climate Change on Kiawah Island, SC.

Councilmembers, along with Mr. Chitwood, Mr. & Ms. Pumphrey, and Mr. Hernandez, engaged in an in-depth discussion of the model included in the adaptive plan and how to put it into place. Discussion included the need to identify the key issues and thresholds that need to be tracked, the creation of focus groups to pull together information on concerns from property owners, stakeholders, and the community, and a timeframe which has the first stage of identifying thresholds completed by November.

Mayor Weaver and Council agreed to support the model created by the workgroup and with the workgroup along with Town and Community Association staff, moving forward to begin work on identifying thresholds and implementation.

## VI. New Business:

### A. To Consider Approval of the Contract for Janitorial Services

Mayor Weaver stated that the contract for the Municipal Center janitorial services was reviewed and discussed by the Ways and Means Committee, who recommended approval of the bid proposal from Jan-Pro Cleaning Services.

***Mayor Pro Tem Widuch made a motion to award the bid for janitorial services to Jan-Pro Cleaning Services for a one (1) year contract with two (1) year extensions in an amount not to exceed \$1,478.00 per month with the additional deep-clean cost of \$395.00. The motion was seconded by Councilmember Said and was unanimously passed.***

### B. To Consider Approval of the Proposed Changes to the Finance Department Accounting Policies and Procedures

Ms. Szubert stated that during the budget process, two new policies were discussed. The first was a recommendation from work on 2019 Budget to establish a Capital Improvement Fund, transferring \$1M dollars for the startup, and to establish an Emergency Fund transferring 20% of the revenues derived from Hospitality and Local Accommodations taxes. The second was a recommendation that the State Accommodations Tax allocations include translating the dollar figures into a percentage. Consistent with a percentage of the total SATAX funds collected, the funding allocation distribution would not exceed the dollar figure awarded with any excess funding placed in the next year's funding. These policies have been added to the Finance Department Accounting Policies and Procedures.

***Mayor Pro Tem Widuch made a motion to approve the proposed changes to the Finance Department Accounting Policies and Procedures. The motion was seconded by Councilmember Connelly and was unanimously passed.***

Mayor Pro Tem Widuch read a question from Ms. Wendy Kulick in which questioned the credit limits on credit cards for the Mayor at \$50,000.00 and the Mayor Pro Tem at \$39,500.00. She also questioned the perceived lack of oversight credit card charges and suggested requiring two signatures before charges are made. Ms. Szubert stated the high limit credit cards are used for emergencies such as the evacuation for a hurricane. Lower limit credit cards that are used by staff

and charges are reconciled, review, and signed off on by the Town Administrator or Mayor. Pre-approvals include emails and purchase orders.

**C. To Consider Approval of Proposed Changes to the Short-Term Rental Ordinance**

Ms. Tillerson stated that in the past six months, the Short-Term Rental (STR) Ordinance has been working well but now requires some amendments to the language to provide better clarity. She reviewed in detailed each of the proposed changes.

Councilmembers discussed the addition of subsection (h) in Section 14-506, stating that the provisions in the section will apply to the STR property at all times, including when the property is used by the owners, guests, or renters. The opinion was expressed that holding an owner that is using his STR rental to the provisions laid out for renters was unfair when an owner not renting does not have to comply with the same provisions. It was pointed out that the provisions only applies from dusk to dawn and that violations are notified as a reminder.

***Councilmember Connelly made a motion to approve the first reading of Ordinance 2020-07 to amend the Short-Term Rental Ordinance 2019-08. The motion was seconded by Mayor Pro Tem Widuch and was unanimously passed.***

**VII. Town Administrator's Report:**

Ms. Tillerson stated next Wednesday, Ms. Szubert, Ms. Fox, and Code Enforcement staff would be meeting with property managers and bike rental companies. The discussion will review violations that have occurred over the past six months, along with any problems or concerns they may have experienced.

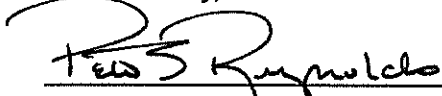
**VIII. Council Member:**

- a. Committee Updates
- b. General Comments

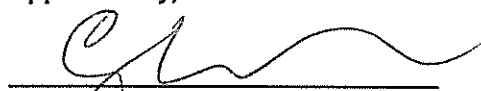
**IX. Adjournment:**

***Councilmember Prickett motioned to adjourn the meeting at 5:02 pm. The motion was seconded by Councilmember Connelly and carried unanimously.***

Submitted by,

  
\_\_\_\_\_  
Petra S. Reynolds, Town Clerk

Approved by,

  
\_\_\_\_\_  
Craig E. Weaver, Mayor

\_\_\_\_\_  
Date