

STATE OF SOUTH CAROLINA

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IN THE COURT OF COMMON PLEAS

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NINTH JUDICIAL CIRCUIT

COUNTY OF CHARLESTON

)

CASE NO. 2015-CP-10-2983

DENNIS L. MCGILL, *pro se*,

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Plaintiff,

)

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v.

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CONTRACT OF AND STIPULATION OF
SETTLEMENT

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TOWN OF KIAWAH ISLAND,

)

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Defendant.

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It appearing that the parties have compromised and settled their differences and wish to reduce this agreement to a formal proposal for approval by the Town Council of Kiawah Island, as follows:

1. The Town intends on placing all repayment agreements on the Council's meeting agenda.
2. Pursuant to the FOIA and consistent with Town practices, citizens may request all Town documents concerning monetary payments to Town officials and staff.

The Town anticipates revising its employee handbook to provide for a merit bonus system similar to the framework used by the state Department of Administration.



3. The Town plans to post its check register on its new website and until established, will post the prior months disbursements on its Town bulletin board.
4. Pursuant to the FOIA and consistent with Town practices, citizens may request in January, the prior calendar year's total accumulated compensation for each full time individual employed by the Town during that period, and again, in July, the previous six months total accumulated compensation in the same form for all personnel employed during said period, redacted except as to those making more than \$50,000 per year. The Town will not publish sick or medical leave of any employee.
5. All contract agreements with outside persons or entities are open to public inspection.
6. The Town shall continue to follow its own budgetary, procurement and other Town ordinances and codes.
7. The Town Council reaffirms the assignment of work from Jacobs Engineering to WK Dickson Engineering. Pursuant to the FOIA, citizens may obtain payments made to Jacobs Engineering and WK Dickson.
8. Pursuant to S.C. Code Section 30-4-40(13) and consistent with Town practices, citizens may request application materials submitted by persons seeking to fill employment positions.

Town Council's budget ordinance includes total non-exempt and exempt salaries for full and part time employees.
9. Pursuant to the FOIA and consistent with Town practices, citizens may request a list of all full time employees by name and hire date and the PTO available to each employee available at the beginning of the calendar year.
10. The Town answers all reasonable citizen questions publicly, as required by its ordinance, or provides a reason for delay in answering.

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11. As allowed by South Carolina Code, the Town uses "executive sessions" to discuss "employment, appointment, compensation, promotion, demotion, discipline or release of an employee or a person regulated by a public body..." In addition, the Town Agenda states a more specific reason or reasons for such individual discussion. An example of an agenda item for executive session is "Executive session to discuss discipline of an employee." No decisions are made in executive session and all votes are made in public.

12. This agreement is not effective unless and until approved by a majority of the Town Council.

13. Upon acceptance of the above provisions, both parties waive any and all rights they may have to litigation costs and attorneys fees.

14. The parties agree to execute mutual releases upon approval of this agreement and agree to a mutual dismissal with prejudice of any and all claims arising out of Plaintiff's Complaint.


Dennis L. McGill
Pro se Plaintiff


Dennis J. Rhoad
Sally H. Rhoad
Attorney for Defendant


Town of Kiawah Island
Defendant