

**TOWN COUNCIL MEETING
KIAWAH ISLAND MUNICIPAL CENTER
COUNCIL CHAMBERS
APRIL 6, 2010; 2:00PM**

MINUTES

- I. Call to Order:** Mayor Wert called the meeting to order at 2:00pm.
- 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
Alan L. Burnaford, Mayor Pro Tem
Charles R. Lipuma
G. Steven Orban
Harry H. McHugh
- Also Present:** Dennis Rhoad, Town Attorney
Tumiko Rucker, Town Administrator
Catherine Wilson, Town Clerk
- V. Approval of Minutes:**
A. Ordinance 2010-2 Public Hearing Minutes for March 2, 2010
Mr. Burnaford motioned to approve the Public Hearing minutes for March 2, 2010. Mr. Orban seconded the motion. The motion carried unanimously.
- B. Town Council Meeting Minutes for March 2, 2010**
Mr. Orban motioned to approve the Town Council meeting minutes for March 2, 2010. Mr. Lipuma seconded the motion. The motion carried unanimously.
- VI. Old Business:**
None
- VII. New Business:**
A. Compensation Classification Study
Mr. Orban motioned to discuss the compensation classification study during executive session. Mr. Burnaford seconded the motion. The motion carried unanimously.

Mayor Wert noted the agenda will be edited to add “Personnel Issues” to item XIII. Executive Session.

B. ATAX Funding Requests

Mayor Wert stated that the ATAX Committee recommendations were forwarded to the Ways and Means Committee for review. The Ways and Means Committee then forwarded the recommendations to Town Council for approval

Mr. Lipuma motioned to approve the ATAX Committee Recommendations as presented. Mr. Burnaford seconded the motion.

Mr. Orban asked how applications with no representatives at the ATAX meeting were handled and if they were automatically denied funding. Mayor Wert stated that it is a state law requirement that a presentation be made during the ATAX meeting. Mayor Wert stated that there is an issue that is unclear with the Charleston Ballet and they have submitted a request to meet with Ken Gunnells. If the Ballet would like to meet with the Ways and Means Committee after their meeting with Ken Gunnells, they will be able to. Mr. Lipuma stated that he spoke with the Ballet and expressed his disappointment that no representative attended the meeting.

Mr. McHugh asked what the options are if ATAX revenues exceed the budgeted amounts. Mayor Wert responded that if ATAX revenues exceed the budgeted amount the Committee would reconvene to discuss funding. The ATAX Committee prioritized applications that may receive funding if it becomes available and the PGA received first priority.

After discussion, Mayor Wert called for a vote on the motion. The motion carried unanimously.

C. Road Consultant Appointment

Mayor Wert explained that this is an agreement between the Town and Paul Roberts for him to act as the Town’s Road Consultant. Mayor Wert read the agreement to attendees.

Mr. Lipuma asked if the word “expense” in the fourth paragraph of the agreement was correct. Mayor Wert responded that the word “expense” should be “expertise” and that the final copy would reflect that change.

Mr. Burnaford stated that Mr. Roberts is very well know amongst members of the County, City of Charleston, State of SC, and the LPA Group concerning the Johns Island roads. Mr. Burnaford explained that he is glad to have Mr. Roberts on the team.

Town Council members unanimously agreed with the appointment.

D. Municipal Election Commission Appointment

Mayor Wert motioned to appoint John Wilson to the Municipal Election Commission. Mr. Burnaford seconded. The motion carried unanimously.

E. QS1 Financial Management System

Mrs. Rucker stated that the Town reviews contracts annually and during this year's review, the Town met with QS1 software to discuss their scope of work. In comparing QS1 Software with the Town's current financial software, Logics, it was discovered that the Town would have a cost savings if they move all financial systems to QS1. Logics Software Company has recently had negative customer service and financial reports.

Mayor Wert motioned to enter into an agreement with QS1 Data Systems for financial software. Mr. Burnaford seconded the motion.

Mr. Orban stated that the Ways and Means Committee unanimously recommended the software. The motion carried unanimously.

VIII. Committee Reports:

Arts Council

Mr. Lipuma stated that there were five events during the month of March including: William and Mary's Gentlemen of the College, Jane Austen's Music and Literary Society, Ann Caldwell and LooseFitt and the College of Charleston's Chamber Orchestra. In April, Tommy Gill has been booked to replace the Rod Powell event. The CSO Brass Ensemble event will take place but it will not be a "CSO" event as they have ceased operation at this time. The performers are the same for the event. The Lee Chin and Enrique Graf recital will take place on April 18.

Parkway Project

Mr. Orban stated that the repair of the storm drain line has been completed. The work was done by a company called Insituform and used a fiberglass lining to repair the pipe. Mr. Orban showed attendees a piece of the fiberglass used to line the pipe and explained that it should be stable for the next 20 years.

Mr. Orban also stated that there is some bank erosion on outbound side of the Parkway at bridge. The Town may stabilize the erosion in the future but it is not an issue as of now. He explained that it could become an issue during the spring and fall high tides.

Public Safety

Mr. Orban stated that there is a Public Safety Committee Meeting coming up on April 20, 2010 at 3:00pm.

Environmental

Mr. McHugh stated that he continues to be amazed at the “environmentally themed” progress of entities on the Island. He stated that KIGR recently won the Carolina Recycling Association's Toxic Waste Reduction and Special Event Award for efforts during the marathon. The Town recently won the DHEC Recycling Guy's Award for Outstanding Municipal Waste Reduction and Recycling Program.

Mr. McHugh stated that Mr. Jim Jordan, Town Wildlife Biologist, has developed a website www.wildlifeatkiawah.com that has information on bobcats, piping plovers and other various wildlife on Kiawah. Mr. McHugh stated that the website is really something to be proud of.

Johns Island Roads

Mr. Burnaford stated that the LPA Group was commissioned in mid-October to complete a study comparing the widening of Bohicket and Main Roads with constructing a Cross Island Greenway. The Greenway would go from the Stono River to River Road and Betsy Kerrison. The study will be finished at the end of April or beginning of May. The study will bring facts into the issue rather than emotion. Mr. Burnaford stated that Paul Roberts and Sam Reed, Seabrook, have been keeping in touch with the cities of Charleston and North Charleston and the County regarding the roads. He stated that recently, Sam Reed made a report to the Seabrook council talking about the possibility of the Greenway being a toll road. Mr. Burnaford stated that when the County commissioned the LPA study that they requested that all possibilities be included in the study. Mr. Burnaford explained that all possibilities would also include all possible financing options.

IX. Town Administrator’s Report

Mrs. Rucker stated that each spring the Municipal Association of South Carolina recognizes local governments for their excellence in certain projects and work. The Town submitted the Kiawah Island Parkway and Bike path to the Municipal Association and competed against 174 other municipalities. Those presenting for the Town were: Marilyn Olson, Joe Croughwell, Rusty Lameo and Mrs. Rucker. The Town was notified that they won the Public Works program of the year. The Town will receive statewide recognition, tickets to the awards breakfast and a professionally designed video of the project. The Parkway dedication ceremony will take place on May 3 during a luncheon at Cassique clubhouse. The Town also received notification that they received the Certificate of Excellence in Financial Reporting from the Government Finance Officers Association. In October the Town completed the Community Rating System with Charleston County. The Town has received preliminary notification that they maintained the level 6 rating that reduces flood insurance by 20%. BEC has announced a rate reduction that came effective January 1 and applies to all co-op members.

BEC may extend their new conduit onto the remainder of the island. There will be some disturbance from the real estate office to Kestrel Court related to the extension of the eight-duct line. There will be further updates when the Town better understands the scope of the project. Mr. Orban stated that there will be a joint meeting with KICA, the Town and BEC.

X. Mayors Report

Mayor Wert stated that financially the Town's revenues are running behind last year's revenue but that was planned for in the current budget. A budget workshop will take place at the Ways and Means Committee on April 27 at 9:00am to discuss FY 2010/2011. There will also be a Public Hearing in accordance with the budget calendar.

In regards to funding, the Conservancy has requested a \$50,000 operating grant and asked the Town to consider funding as they construct the budget. Mayor Wert stated that it is not prohibited but Council must first review the budget to see where the Town stands financially.

Mayor Wert received a letter from Lynn Dugan, Chair of the Charleston Pride Organization stating that there will be a gay pride march on May 15 in North Charleston. North Charleston Mayor Keith Summey, who has been long known for his commitment to diversity, will be the parade grand marshal. Mayor Wert stated that he would attend but that he will be at his granddaughter's graduation from Penn State University.

Mr. McHugh stated that in regards to the Conservancy's request for funding that he would like to see a copy of their operating budget for review. Mayor Wert stated that it a reasonable request.

XI. Citizen Comments:

A. Fran Wermuth,

In reference to the Dog Ordinance-

Mrs. Wermuth stated that she has the support of several citizens and dog owners and they would like Town Council to reconsider the Dog Ordinance. They would like to have another public hearing to allow comment from dog owners and possibly resend the current regulations. Mrs. Wermuth presented a letter to the Town Clerk for the record.

B. Tom Kulick, 38 Marsh Edge Lane,

Mr. Kulick stated that during the next St. Johns Fire Commission meeting they will hear the fire chief give his budget presentation. The fire at the River Course is still be researched and investigated.

C. Debbie Hodges, 4 Angler Hall

Mrs. Hodges suggests that the timing for Public Hearings be placed on the board at the main gate. She would also like for Town Council to reconsider the dog ordinance.

D. Dick Murphy 60 River Marsh,

Mr. Murphy stated that Kiawah has a great reputation for protecting wildlife and he thinks that dogs should be protected also. He stated that he is suggesting a reasonable compromise that both protects the homeowners and the dog owners. He hopes Town Council will reconsider the Dog Ordinance.

E. Alan Stewart, 130 Flyaway,

Mr. Stewart agrees that Town Council should reconsider the dog ordinance. He stated that the winter was the most frustrating because no one else was on the beach but he still had to have his dog leashed.

F. Wendy Kulick, 38 Marsh Edge Lane,

1) In regards to Paul Roberts' appointment as the Road Consultant she stated that it is the first time in 21 years where a property owner has represented the Town with a payment. Why is there a stipend associated?

2) In regards to the roads, does Mr. Burnaford or Mr. Roberts know if when the LPA report comes out if there will be coordination between the plans for the Greenway and 526; especially when the intent is to hook the Greenway into 526.

XII. Council Member Comments

Mr. Burnaford,

None

Mr. McHugh,

None

Mr. Orban,

None

Mr. Lipuma,

Mr. Lipuma stated that when on the bicycle path that walkers need to be mindful if there are bicycles coming from either direction. He also stated that the storm water drain took a lot of thought to decide to line or put a new one in. The price to replace would have been a nightmare and he thinks that Mr. Orban decided on the best choice for the Town.

XIII. Executive Session:
Mayor Wert adjourned the meeting at 2:55pm to enter into executive session.

No votes or actions were taken during executive session.

XIV. Open Session:
Mayor Wert motioned to enter into open session at 4:30pm. Mr. Burnaford seconded the motion. The motion carried unanimously.

Mayor Wert motioned to proceed with the classification study as recommended by the administrator to the Archer Company with a modification on page 2 of their proposal deleting the development of a bonus and incentive plan. Mr. McHugh seconded the motion. Mr. Orban suggested stating the contract price in the motion. Mayor Wert amended the motion to not exceed \$3,000. Mr. McHugh seconded the amended motion. The motion carried unanimously.

XV. Adjournment:
Mr. Lipuma motioned to adjourn the meeting at 4:37pm. Mr. Burnaford seconded the motion. The motion carried unanimously.

Submitted by,

Catherine Wilson, Town Clerk

Approved by,

William G. Wert, Mayor

Date