

**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
December 4, 2007, 2:00 PM  
Minutes**

**I. Call to Order:** Mayor Wert called the meeting to order at 2:02 PM.

**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  
G. Steven Orban

Also Present: Ken Gunnells, Town Treasurer  
Tumiko Rucker, Town Administrator  
Catherine Wilson, Town Clerk  
Sally Rhoad, Town Attorney

**V. Approval of Minutes**

A. Town Council Meeting: November 6, 2007

**Mr. Orban motioned to approve the November 6, 2007 minutes; Mr. McIver seconded the motion. Mr. Orban made corrections to the minutes. With those corrections the minutes were approved as submitted.**

**VI. Citizens Presentation:**

None

**VII. Old Business:**

None

**VIII. New Business:**

**A. Approval of 2008 Town Council Schedule (See Attached)**

Mr. Burnaford asked what date the 2008 election is scheduled for. Mr. McIver said that the Town election is scheduled for December 2<sup>nd</sup>, 2008 and the national election is scheduled for November 4<sup>th</sup>, 2008.

**Mayor Wert motioned to approve the 2008 Town Council Schedule. Mr. McIver seconded the motion. Motion carried unanimously.**

**B. Approval of 2008 Committee Meeting Schedules (See Attached)**

Mayor Wert noted that the Board of Zoning Appeals (BZA) is a quasi-judicial board and therefore, the BZA schedule is submitted for informational purposes only.

**Mayor Wert motioned to approve the 2008 committee meeting schedules as submitted. Mr. Orban seconded. Motion carried unanimously.**

**C. Employee Compensation Cost of Living Adjustment (COLA) (See Attached)**

Mr. Lipuma asked why the COLA percentage amount is different from the social security percentage rate. Mr. McIver said that the two percentage amounts are different because they are gathered from two different sets of data.

**Mayor Wert motioned to approve the recommended 3.5% cost of living adjustment rate for Town employees to become effective January 1, 2008 as guided by the U.S. Department of Labor Consumer Price Index for October 2007. Mr. Orban seconded the motion. Motion carried unanimously.**

**D. Municipal Center Exterior Cleaning (See Attached)**

Mayor Wert discussed the submitted bids from Coastal Hydropower, Inc. and E & D Contractors, Inc. Mr. Orban asked if the Town had this service performed before and if so, he wanted to know what the bid amount was for the prior service contract. Mrs. Rucker said that the last contract was for approximately \$4,000 and was two years ago. Mayor Wert noted that this item was a budgeted item from the General Fund.

**Mayor Wert motioned to approve the award of a competitively bid contract to pressure wash and clean the Municipal Building and Garage to Coastal Hydropower, Inc. for the bid amount of \$6,890.06. Mr. Burnaford seconded the motion. Motion carried unanimously.**

#### **E. HVAC System Cleaning and Maintenance Contract (See Attached)**

Mayor Wert noted that there is a mold problem among the southeastern region of the United States and stated that the Town did not have this problem as of yet, and it will be much easier to prevent the mold in the system rather than try to rid the system of it. Mayor Wert noted that ServiceMaster of Charleston was the only company that responded to the published bid. Mayor Wert also discussed that this item was an unbudgeted item and stated that this service was previously requested by Town Council. Mr. Lipuma stated that the Town should consider installing ultra violet (UV) lights in the air handlers because the lights kill mold and bacteria in the system. Mrs. Rucker stated that in the bid specifications, the Town asked for the respondent to include a separate bid for the installation of UV lights in the air handler. Mrs. Rucker explained that the responding company did not include a separate bid for the installation of UV lights. Mr. Gunnells stated that the respondent said they would submit a separate bid for UV light installation, but would like to inspect the system before hand. Mr. Orban suggested asking for a price for installation of the UV lights. Mr. Burnaford stated that the UV light installation did not have to be added to the bid for HVAC cleaning and that it could be done as a separate job. Mayor Wert stated that at this point, the bid should be sent back to the respondent and resubmitted with an additional quote containing the UV light installation amount and that the Town should also bid to others the UV light installation project. Mr. McIver said he feels that around \$1,800 of this service cost is attributable to the Kiawah Island Community Association (KICA) for their use of space in the building and he does not think the Town is obligated to provide maintenance under the lease. Mrs. Rucker stated that the lease had been discussed with the Town attorney and if the bid is approved by Town Council, the Town will bill the community association for their share of maintenance expenses. Mayor Wert asked that for next Council meeting, that Town staff gather installation costs for UV lights in the HVAC system. The Mayor requested as a separate item, for the Town to determine if the Town will bill KICA for maintenance fees.

**Mayor Wert motioned to postpone discussion of this item for thirty days until bid information can be gathered and shared maintenance fees can be discussed. Mr. Orban seconded the motion. Motion carried unanimously.**

#### **F. Beach Patrol Contract Specifications (See Attached)**

Mrs. Rucker discussed the current beach patrol contract and stated that the contract's current wording is vague and contains conflicting language. Mrs. Rucker stated that the Town has updated the contract language and listed new specifications that more specifically describes training requirements and qualifications for beach patrol staff. The new contract does not add any additional services. Mayor Wert asked if this document would be the actual bid package. Mrs. Rucker said that the document would be included as the specifications in the bid package. The Mayor suggested changing January 1<sup>st</sup>, to January 31<sup>st</sup> in all occurrences of the contract. Mr. McIver suggested changing the word

“certifications” on page 3 under “Appearance/Physical Ability”, to “qualifications as required” and the word “officers” be omitted on page 6; and the word “dictated” on page 7 changed to “dedicated”. Mr. McIver and Mr. Orban changed the weekly schedules on page 4 to the following:

- 1) October 1<sup>st</sup> - Thursday before Easter - 8am-5pm
- 2) May 16<sup>th</sup> - Labor Day – 7am-8pm
- 3) After Labor Day – September 30 – 8am-6pm

Mr. McIver also asked about an insurance requirement included in the bid packet. Mrs. Rucker stated that the document under review is only the specifications document for the bid package and that the whole bid package will have an insurance requirement included. Mayor Wert asked staff to submit the document with the changes and corrections in order to have the bid package ready for review by the Ways and Means Committee prior to January 8<sup>th</sup>, 2008.

#### **G. Ad Hoc Safety Committee Report (See Attached)**

Mayor Wert discussed the Ad Hoc Safety Committee and stated that he asked Mr. Pezzullo, Mr. Croughwell, and Mr. Lameo to review various safety related reviews on the Island and the report they submitted was for informational purposes only and would be submitted to the Public Safety Committee for review.

#### **H. Municipal Parking Lot Paving (See Attached) - \$30,000 Budgeted from Hospitality Fund.**

Mayor Wert discussed the overflow parking lot area that is in need of paving and stated various reasons for paving the lot. The Mayor stated that with an increasing number of organizations using the facility, and the demand for the meeting space, the parking lot problem has become evident. There are not enough parking spaces available for customers or visitors. The Town had two respondents to the bid for paving the overflow parking area: Three Oaks Contractors, Inc. with \$22,500 and Landscape Pavers L.L.C. with \$22,676.

**Mayor Wert moved to award a contract to pave the overflow parking lot to Three Oaks Contractors, Inc. for the competitively bid price of \$22,500. Mr. Burnaford seconded the motion. Motion carried unanimously.**

### **IX. Correspondence**

#### **A. Charleston Area Regional Transportation Authority (CARTA)**

Mayor Wert stated that CARTA, as a whole is now receiving better press and is no longer operating in a deficit. They also have been able to increase services and routes.

## **X. Committee Reports**

### **Environmental Committee (See Attached)**

Mr. Lipuma discussed the Jewels in the Crown article series and reminded those in attendance to check for future articles in Town Notes. Two of six articles have appeared thus far. Piping Plover monitoring surveys were conducted twice during the month of November and there was a substantial increase in sightings at the west end of the Island. Mr. Lipuma reported the following wildlife calls, during the month of November:

- 11-6-07 - Property Owner at Dungannon called with questions about droppings on porch, it was determined that the culprit was a raccoon, and gave PO advice on dealing with the animal
- 11-14-07 – Alligator (8’ 7”) relocated from Sanctuary near Loggerhead Grill to Surfsong Pond
- 11-23-07 - Deer hit and killed by car on Governor’s Drive at Preserve.
- 11-28-07 – 85lb. Deer hit and killed by car on Governor’s Drive
- 11-29-07 –Deer hit by car at Governor’s Drive and Dungannon, deer was not recovered.

### **Arts Council**

Mr. Lipuma said the Arts Council’s season has been very entertaining and performances have been magnificent. The Madrigal Dinner was a superb evening of dining and music. Mr. Lipuma reminded those in attendance of the upcoming Handel’s Messiah, on December 7<sup>th</sup> at the Holy Spirit Catholic Church. This event will be performed by the Charleston Symphony Orchestra and Chamber Choir. Mr. Lipuma stated he had contacted the Island News and asked for corrections of times and information advertised incorrectly.

### **Public Safety**

Mr. Orban stated that he and Mrs. Rucker met with the utility companies and project engineers to discuss the potential changes that may be needed during the construction of the new bike-path. Mr. Orban, Mayor Wert and Jim Jordan also met with the Ocean and Coastal Resource Management (OCRM) to discuss the mitigation proposal for the Parkway project. Mr. Orban reported that the other permitting agencies have approved the Town’s mitigation proposal.

### **Financial Issues**

Mr. McIver had no report.

### **Sea Island Issues**

Mr. Burnaford reminded those in attendance that the Communications Committee had been disbanded. He also praised the pertinent information of Town Notes.

## **XI. Town Administrator's Report**

Mrs. Rucker welcomed new Town employee Juan Martin and said that Juan is doing a great job and the Town is excited to have him join the team. She stated that the employee laptop installation is complete and security camera/surveillance equipment installation started on Thursday, November 29<sup>th</sup>. Mrs. Rucker explained that surplus Town equipment has been sold, generating \$1,800 in revenue for the Town. The Town has adopted a "Go Green" office policy. The Town will be replacing all non-biodegradable and unrecyclable office and kitchen supplies with earth friendly products.

The Beachwalker Drive landscaping/beautification project is complete and the final walk-through with contractors will be conducted in early December. The Town will be installing a low-rail or split-rail fence to prevent further damage to the sod. The Town is in the process of submitting grant proposals for the following Palmetto Pride Grants:

1. Enforcement Grant
2. Palmetto Pride Community Grant

Mrs. Rucker will be attending the APT US&C and board meeting in Milwaukee, Wisconsin from December 6-8<sup>th</sup>, where Charleston, SC will be discussed as a potential host site for the 2010 annual conference. She has been working closely with the Charleston County Visitor's Bureau (CVB) on this endeavor. Suzanne Wallace of the CVB will be joining her at the meeting to make the presentation.

## **XII. Mayor's Report**

Mayor Wert announced the Charleston Collegiate guest speaker program and stated that this information will become available on the Town's website. Mayor Wert announced a special preview showing of "The Curious Mr. Catesby" at the Sanctuary on December 28<sup>th</sup> at 6:00 p.m. Mayor Wert said he participated in the Urban Land Institute Program in North Charleston at Trident Technical College. This event looked at the projected growth in the Tri-County area through the year of 2030. The Mayor reminded permanent residents of the tax reform bill that should reduce property taxes by around 50% for permanent residents. The Mayor reminded those in attendance to be thankful for what they have during the holidays and to give back to the community by reaching out and helping those that are less fortunate. The Mayor took the time to thank those who are serving overseas.

## **XIII. Citizens' Comments/Questions**

**Wendy Kulick, 38 Marsh Edge Lane:** Mrs. Kulick asked for more printed handouts for visitors during Town meetings and stated she had been unable to find the Town Council agenda online. She asked about the status of proposed amphitheater and stated she was curious to find out if the Town was working with someone on the project.

**Peter Silvester, 51 Crested Flycatcher:** Mr. Silvester asked if it would be feasible to partially build the bike-path if it was not approved as proposed. He also, asked if the Town of Kiawah Island has given any consideration to the “green cities” movement.

**XIV. Council Members Comments**

Mr. Burnaford had no comment.

Mr. McIver had no comment.

Mr. Orban had no comment.

Mr. Lipuma suggested that the Town attorney look into the 2005 Development Agreement with KRA to see if any changes need to be made to reflect KRA’s relinquishing their right to build cottages on 6.9 acres on Bear Island and assigning that property to the Conservancy.

**XV. Executive Session/ Personnel Matters and Legal Matters**

**Mayor Wert moved to go into executive session to discuss personnel matters and legal matters at 2:57 PM; No votes or actions were taken during executive session.**

**XVI. Adjournment:**

**Mayor Wert moved to adjourn the regular meeting at 4:00 PM; motion seconded by Mr. Orban. Motion carried unanimously.**

Submitted by \_\_\_\_\_  
Cathy Wilson, Town Clerk

APPROVED: \_\_\_\_\_  
William G. Wert, Mayor

DATE: \_\_\_\_\_

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