



TOWN OF KIAWAH ISLAND

21 BEACHWALKER DRIVE • KIAWAH ISLAND, SC 29455 • (843) 768-9166 • FAX (843) 768-4764

posted 12-28-06

William G. Wert, Mayor

Council Members

Alan L. Burnaford

Charles R. Lipuma

Donald H. McIver, Jr.

G. Steven Orban

Town Administrator

Tumiko Rucker

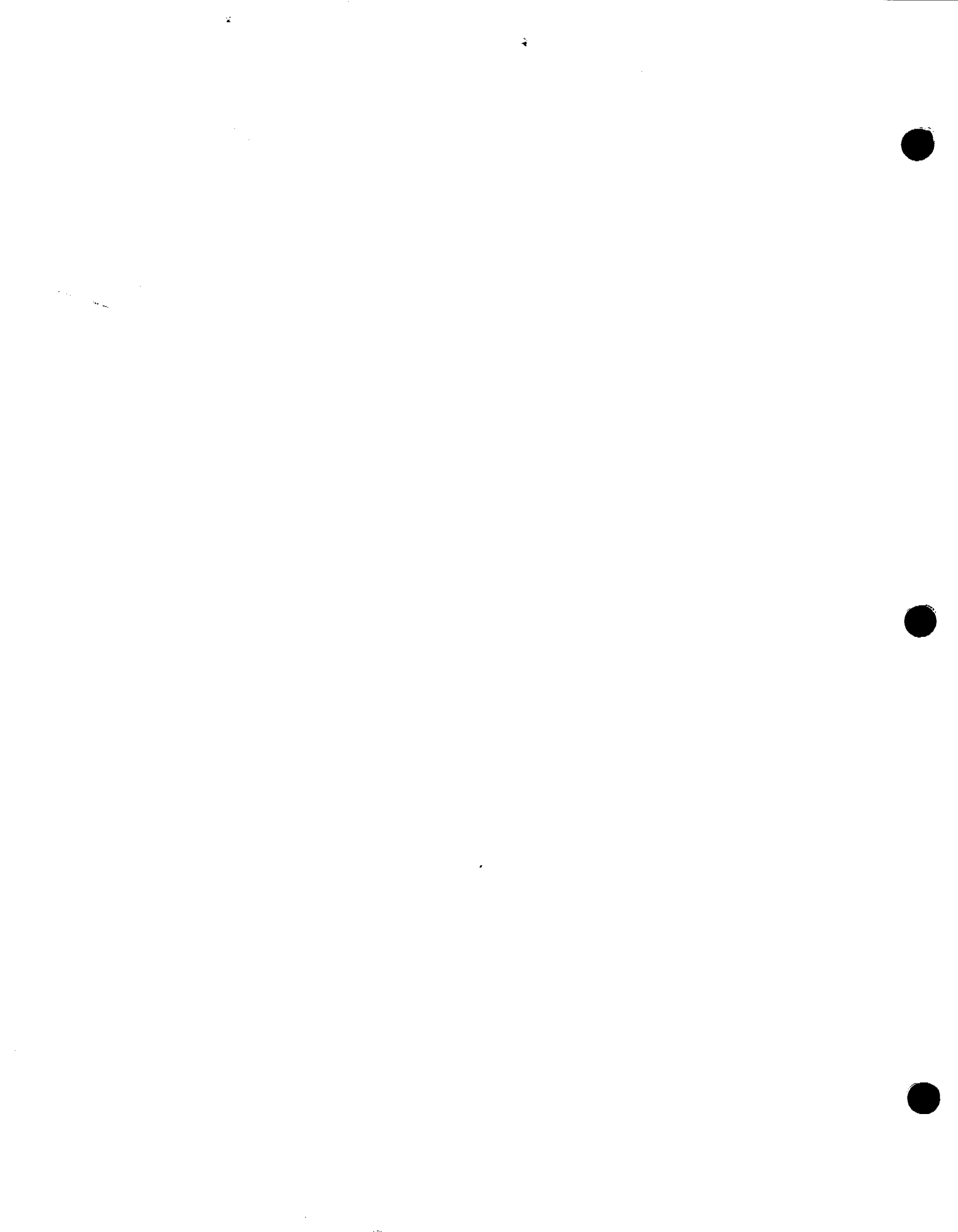
## Meeting Canceled

**The Town Council for Kiawah Island  
will not be meeting for a retreat on**

**Thursday, January 4, 2007**

**9:00 am to 2:00 pm**

**The Sandcastle, 1 Shipwatch Drive**





posted 1-3-07

**TOWN OF KIAWAH ISLAND**

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**TOWN COUNCIL PUBLIC HEARING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
JANUARY 9, 2007, 1:00 PM**

William G. Wert, Mayor

Council Members

Alan L. Burnaford

Charles R. Lipuma

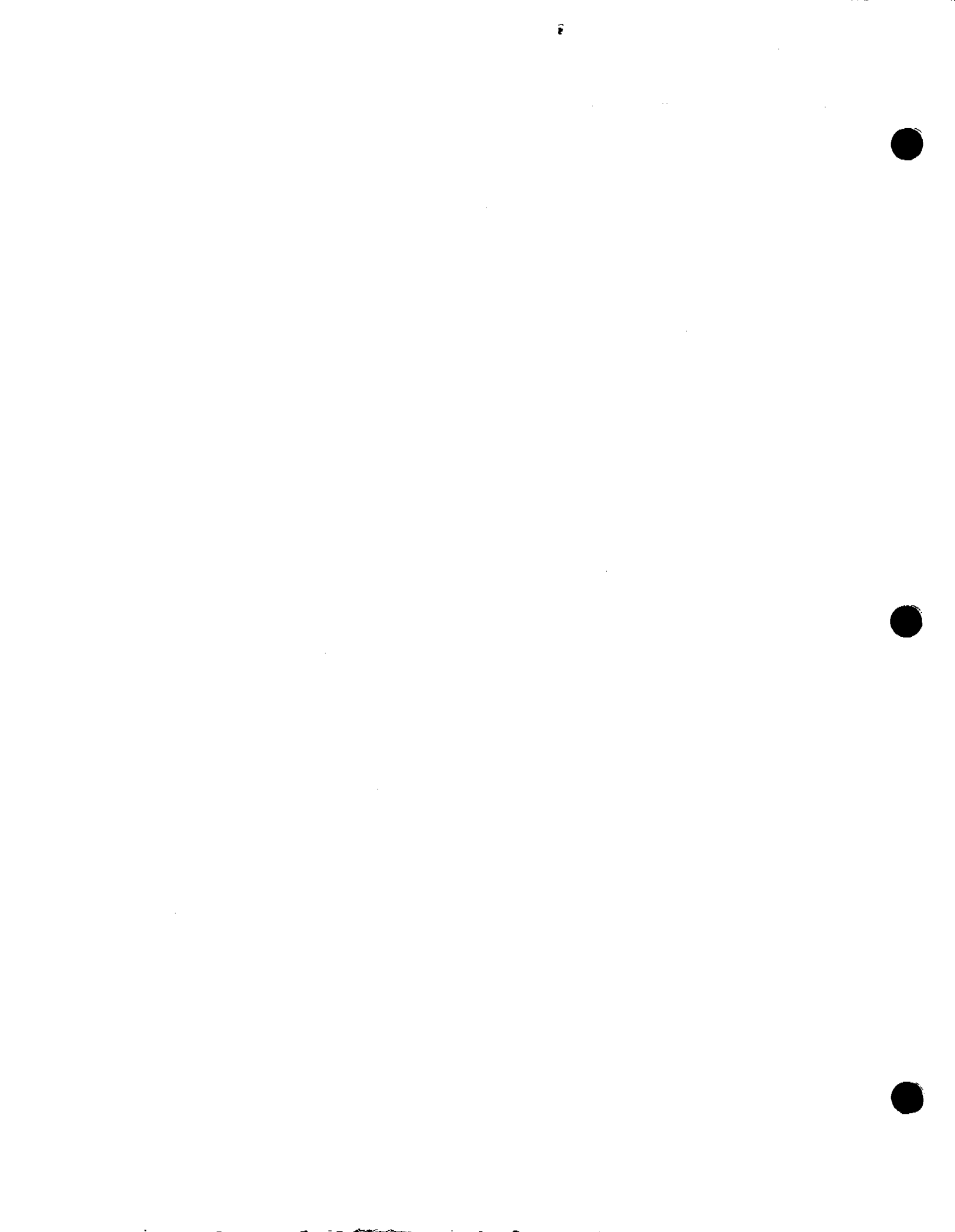
Donald H. McIver, Jr.

G. Steven Orban

Town Administrator

Tumiko Rucker

- I. **Call to Order**
- II. **FOIA:** Notice of this meeting has been published, posted, and faxed in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.
- III. **Roll Call**
- IV. **Public Hearing:**
  - A. **Ordinance 2006-10 Eugenia Ave setbacks**  
- Public Comments & Public Input
  - B. **Ordinance 2006- 11 Amendment to Budget FY 06/07 SATAX FUND**  
- Public Comments & Public Input
  - C. **Ordinance 2006- 13 Updated Town of Kiawah Island Zoning Map**  
- Public Comments & Public Input
  - D. **Ordinance 2006-14 Amendment Article 12A-105 Criteria for Serving on Planning Commission and Board of Zoning and Appeals**  
- Public Comments & Public Input
- V. **Adjournment**









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**TOWN COUNCIL PUBLIC HEARING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
JANUARY 9, 2007, 1:00 PM**

William G. Wert, Mayor

Council Members  
Alan L. Burnaford  
Charles R. Lipuma  
Donald H. McIver, Jr.  
G. Steven Orban

Town Administrator  
Tumiko Rucker

**Minutes**

- I. **Call to Order:** Mayor Wert called the meeting to order at 1:00 PM
- II. **FOIA:** Notice of this meeting has been published, posted, and faxed in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.

III. **Roll Call**

**Present:** William Wert, Mayor  
Donald H. McIver, Jr., Mayor Pro Tem  
Alan L. Burnaford  
G. Steven Orban

**Also Present:** Tumiko Rucker, Town Administrator  
Amber Simmons, Town Clerk  
Frank Milazi, Town Treasurer  
Dennis Rhoad, Town's Attorney

**Absent:** Charles R. Lipuma.

IV. **Public Hearing:**

**A. Ordinance 2006-10 Eugenia Ave setbacks**

**Mayor Wert opened the floor to public comments on ordinance 2006-10 Eugenia Ave Side yard Setbacks.**

Mr. Burnaford briefly discussed a letter from Dennison Royal; this letter will be entered into the official minutes. In Mr. Royal's letter, he discusses the impact of the new side yard setback requirements and how it would on existing and undeveloped properties on Eugenia Ave.

**No additional Public Comments or Public Input.**



**Mayor Wert closed the Public Hearing for Ordinance 2006-10 Eugenia Ave side yard setbacks**

**B. Ordinance 2006- 11 Amendment to Budget FY 06/07 SATAX FUND**

Mr. McIver briefly discussed Ordinance 2006-11 Amendment to Budget FY 06/07 SATAX Fund. Mr. McIver stated that this budget amendment would create \$150, 000 contingency line item in the SATAX Fund.

**Mayor Wert opened the floor for public comments or questions pertaining to ordinance 2006- 11 Amendment to Budget FY 06/07 SATAX FUND.**

**No Public Comments or Public Input**

**Mayor Wert closed the Public Hearing for Ordinance 2006-11 Amendment to Budget FY 06/07 SATAX FUND**

**C. Ordinance 2006- 13 Updated Town of Kiawah Island Zoning Map**

**Mayor Wert opened the floor for public comments or questions pertaining to ordinance 2006-13 Updated Town of Kiawah Island Zoning Map.**

Mr. Bernie Kirol, 14 Terrapin Island, discussed his concerns pertaining to Ordinance 2006-13: Updated Town of Kiawah Island Zoning Map. Mr. Kirol expressed his concerns pertaining to the new development agreement and the impact that it will have on his lot located at 14 Terrapin Island. Mr. Kirol said that he is not only concerned about his lot, but also about the further development of the Island.

**No additional public comments.**

**Mayor Wert closed the Public Hearing for Ordinance 2006-13 Updated Town of Kiawah Island Zoning Map.**

**D. Ordinance 2006-14 Amendment Article 12A-105 Criteria for Serving on Planning Commission and Board of Zoning and Appeals**

**Mayor Wert gave a brief explanation of the changes to ordinance 2006-14. The changes are as follows:**




The Planning Commission and the Board of Zoning and Appeals shall consist of seven (7) Kiawah Island property owner members to be appointed by the Mayor with the consent of the Town Council. At least (5) of these property owners shall be resident members. A resident member shall mean a person who resides permanently on Kiawah Island for not less than eight (8) months of each calendar year, and is registered to vote on Kiawah Island. All members are expected to attend eighty (80%) percent of the meetings held each calendar year.

No Public comments or questions pertaining to the changes to Ordinance 2006-14 Amendment Article 12A-105 Criteria for Serving on Planning Commission and Board of Zoning and Appeals

**No Public Comment or Public Input.**

**Mayor Wert closed the Public Hearing for Ordinance 2006-14 Amendment Article 12A-105 Criteria for Serving on Planning Commission and Board of Zoning and Appeals**

- V. **Adjournment: Mr. McIver moved to adjourn the meeting at 1:30 PM; motion seconded by Mr. Orban. Motion carried unanimously.**

Submitted by   
Amber Simmons, Town Clerk

Approved:   
William G. Wert, Mayor

Date: 2-14-07

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





posted 1-3-07

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**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
JANUARY 9<sup>TH</sup>, 2007, 2:00 PM**

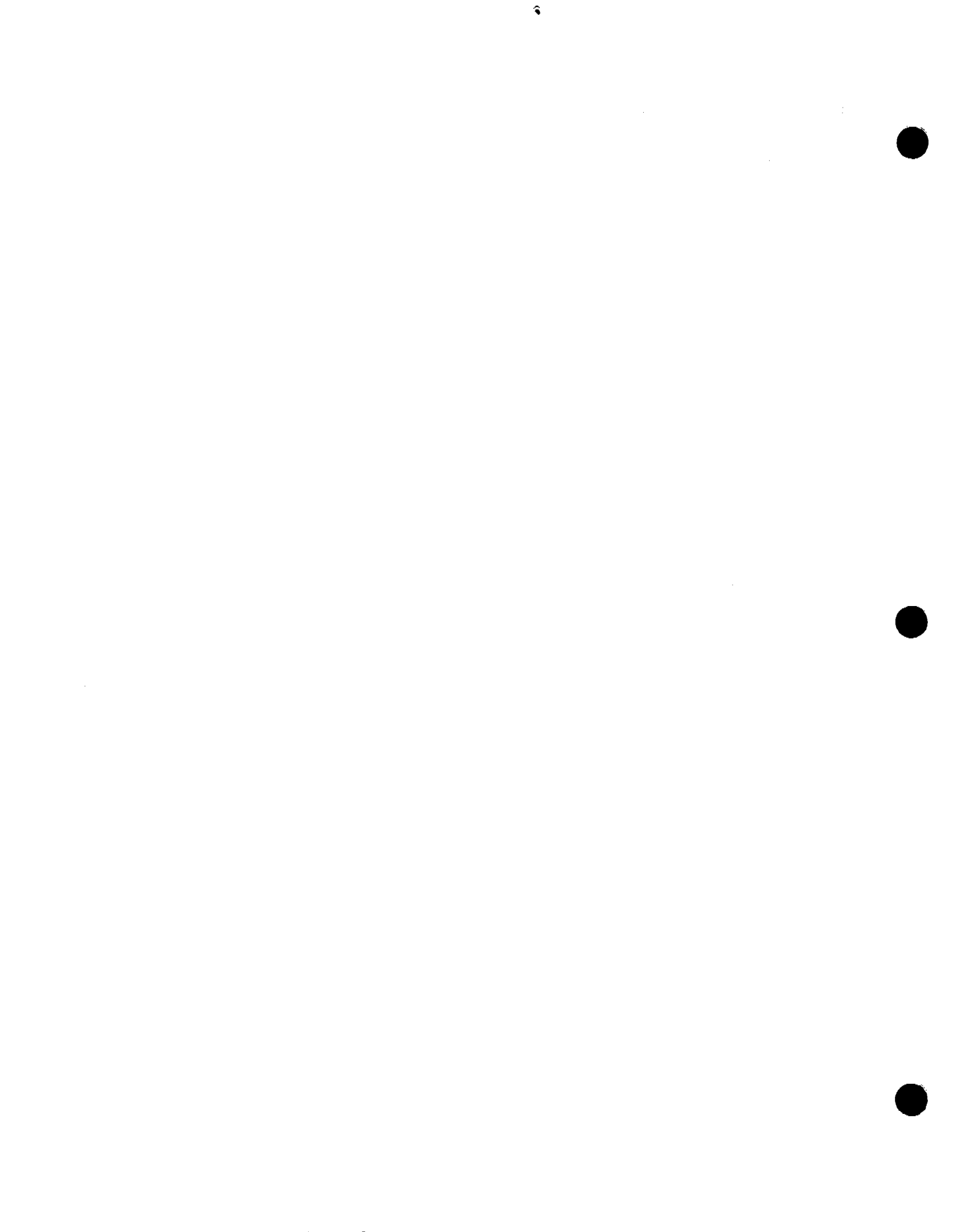
William G. Wert, Mayor

Council Members  
Alan L. Burnaford  
Charles R. Lipuma  
Donald H. McIver, Jr.  
G. Steven Orban

Town Administrator  
Tumiko Rucker

Agenda

- I. **Call to Order**
- II. **Pledge of Allegiance**
- III. **FOIA:** Notice of this meeting has been published, posted, and faxed in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.
- IV. **Roll Call**
- V. **Approval of Minutes**
  - A. Town Council Meeting: November 7, 2006
  - B. Town Council Meeting: December 5, 2006
- VI. **Citizens Presentation**
- VII. **Old Business:**
  - A. Ordinance 2006-10 Eugenia Ave Setbacks (2<sup>nd</sup> Reading)
  - B. Ordinance 2006-11 FY06/07 Budget Amendment SATAX Fund (2<sup>nd</sup> reading)
  - C. Ordinance 2006-12 Parking Regulation (2<sup>nd</sup> Reading)
  - D. Ordinance 2006-13 Updated Town of Kiawah Island Zoning Map (2<sup>nd</sup> Reading)
  - E. Ordinance 2006-14 Amending Article 12A-105 Criteria for serving on Planning Commission or Board of Zoning and Appeals (2<sup>nd</sup> Reading)
- VIII. **New Business:**
  - A. Election of Mayor Pro Tempore
  - B. Appointment of Municipal Judge, Town Attorney, Town Treasurer, and Town Clerk
  - C. Committee Appointments
    1. Communications Committee
    2. Public Safety Committee
    3. Environmental Committee
    4. Arts Council
    5. SATAX Committee
  - D. Planning Commission Appointment
  - E. BZA Appointment
  - F. Abolishment of Public Works Committee
  - G. Resolution 2007-01 Town of Kiawah Island Employee Handbook
  - H. Kiawah Island Resort Franchise Agreement Extension
  - I. Roundabout Paving Repairs
  - J. Sound System Modifications
- IX. **Committee Reports**
- X. **Town Administrator's Report**
- XI. **Mayor's Report**
- XII. **Citizens' Comments/Questions**
- XIII. **Council Members Comments**
- XIV. **Adjournment**



# VISITOR SIGN-IN SHEET

## Town Council Mtg.

DATE: 01-09-07

NAME: (Please PRINT)

ADDRESS:

NAME: (Please PRINT)

ADDRESS:

Dee Silva

343 Low Oak Woods

BETTIE KIRCH

14 TERRAPIN LANE

ANNE MAKELY

330 CATBRIER

GREG VANDERWERKED 510 Ruddy Turnstone

Carol Fishman 247 Saltgrass Ct.

Jenny Lukic 38 Marsh Edge Lane

Annex Glassman 14 Rhott p



ROLL CALL

Town Council Meeting  
01-09-2007  
2:00 PM

Bill Wert, Mayor ✓

Al Burnaford ✓

Charles Lipuma late

Don McIver ✓

Steve Orban ✓

Tumiko Rucker, Town Administrator ✓

Amber Simmons, Town Clerk ✓

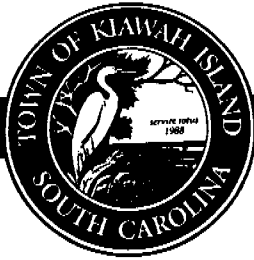
Dennis Rhodes

Call to order: 2:00 pm

Adjourn: Mr. Lipuma moved to adjourn the meeting at 2:58

Motion seconded: Mr. McIver





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**TOWN COUNCIL MEETING  
KIAWAH ISLAND MUNICIPAL CENTER  
COUNCIL CHAMBERS  
JANUARY 9<sup>TH</sup>, 2007, 2:00 PM  
Minutes**

William G. Wert, Mayor

Council Members

Alan L. Burnaford

Charles R. Lipuma

Donald H. McIver, Jr.

G. Steven Orban

I. **Call to Order:** Mayor Wert called the meeting to order at 2:00 PM. Town Administrator  
Tumiko Rucker

II. **Pledge of Allegiance**

III. **FOIA:** Notice of this meeting has been published, posted, and faxed in accordance with the Freedom of Information Act and the requirements of the Town of Kiawah Island.

III **Roll Call**

Present: William G. Wert, Mayor  
Council: Donald H. McIver, Jr., Mayor Pro Tem  
Alan L. Burnaford  
Charles R. Lipuma  
G. Steven Orban

Also Present: Tumiko Rucker, Town Administrator  
Amber Simmons, Town Clerk  
Dennis Rhoad, Town Attorney  
Frank Milazi, Town Treasurer

V. **Approval of Minutes**

A. **Town Council Meeting: November 7, 2006**

Mr. McIver moved to approve the minutes for November 7, 2006; motion seconded by Mr. Orban. Mr. Orban and Mr. Lipuma had minor corrections on page 3 and page 4 of the minutes.

**With those corrections, the minutes were approved as submitted.**



**B. Town Council Meeting: December 5, 2006**

Mr. McIver moved to approve the minutes for December 5, 2006; motion seconded by Mr. Burnaford. Mr. Lipuma had a minor correction on page 2.

**With this minor correction, the minutes were approved as submitted.**

**VI Citizens Presentation- None**

**VII Old Business:**

**C. Ordinance 2006-10 Eugenia Ave Setbacks (2<sup>nd</sup> Reading)**

**Mr. Burnaford moved to postpone the discussion on Ordinance 2006-10 Eugenia Ave Setbacks until the February 6<sup>th</sup>, 2007; motion seconded by Mayor Wert. Motion carried unanimously.**

Mr. Lipuma noted that the lot numbers were not included in the ordinance and suggested that they be included in the ordinance.

**D. Ordinance 2006-11 FY06/07 Budget Amendment SATAX Fund (2<sup>nd</sup> reading)**

**Mr. McIver moved to approve second reading of Ordinance 2006-11FY06/07 Budget Amendment SATAX Fund; motion seconded by Mr. Burnaford. Motion carried unanimously.**

No discussion on this item.

**E. Ordinance 2006-12 Parking Regulation (2<sup>nd</sup> Reading)**

**Mr. Burnaford moved to approve the second reading of Ordinance 2006-12 Parking Regulation; motion seconded by Mr. Orban, Motion passed unanimously.**

No discussion on this item.

**F. Ordinance 2006-13 Updated Town of Kiawah Island Zoning Map (2<sup>nd</sup> Reading)**

**Mr. Lipuma moved to approve the second reading of Ordinance 2006-13 Updated Town of Kiawah Island Zoning Map; motion seconded by Mr. McIver. Motion carried unanimously.**



Mayor Wert noted that in the Public Hearing prior to the Council meeting, Mr. Kirol addressed a concern pertaining to his property located at 14 Terrapin Island. Mayor Wert said that the ordinance is not related to his concern. Mayor Wert further stated that he wanted to ensure Mr. Kirol that action will be taken to address his concerns and that he and the public will be made aware of what action will be taken.

**G. Ordinance 2006-14 Amending Article 12A-105 Criteria for serving on Planning Commission or Board of Zoning and Appeals (2<sup>nd</sup> Reading)**

**Mr. Burnaford moved to approve the second reading of Ordinance 2006-14 Amending Article 12A-105 Criteria for serving on Planning Commission or Board of Zoning and Appeals; motion seconded by Mr. Lipuma. Motion carried unanimously.**

**VII New Business:**

**H. Election of Mayor Pro Tempore**

**Mayor Wert moved to appoint Mr. Burnaford as Mayor Pro Tempore; motion seconded by Mr. McIver. Motion carried unanimously.**

**I. Appointment of Municipal Judge, Town Attorney, Town Treasurer, and Town Clerk**

**Mayor Wert moved to appoint Greg Brown as the Municipal Judge for the Town of Kiawah Island for a three-year term; Mayor Wert moved to appoint Dennis Rhoad as the Town Attorney for a two-year term; Mayor Wert moved to appoint Frank Milazi as the Town Treasurer; and Mayor Wert moved to appoint Amber Simmons, as the Town Clerk; motion seconded by Mr. Orban. Motion carried unanimously.**

Mayor Wert noted that the Town employees serve at will, and work at the pleasure of the Council.



**J. Committee Appointments**

**1. Communications Committee:** Mr. Burnaford moved to appoint Armand Glassman for membership to the Communications Committee; motion seconded by Mr. McIver. Mr. Burnaford moved to reappoint Kelly Bragg, Russell Crane, Lee Anne Taylor, and Lillian Hoopman for an additional one-year term; motion seconded by Mr. McIver. Motion carried unanimously.

**2. Public Safety Committee:** Mr. Orban moved to reappoint Doug Dodge, James Broadus, and Joe Pezzullo for an additional one-year term; motion seconded by Mr. Burnaford. Motion carried unanimously.

**3. Environmental Committee:** Mr. Lipuma moved to reappoint Jerry Wilson, Bill Connellee, Art Zackrison, David Elliott, Jim Jordan, Norm Shea, Liz King, and Jim Chitwood for an additional one-year term; motion seconded by Mr. Burnaford. Motion carried unanimously.

Mr. Lipuma said that he might add an additional member to this committee at a later time. The new member will be a representative from the ARB but he will submit the information at a later time.

**4. Arts Council:** Mr. Lipuma moved to appoint Ms. Gloria Fenning for membership to the Arts Council, motion seconded by Mr. Burnaford. Mr. Lipuma moved to reappoint Lennie Freeburg, Bill Blizard, Mary Johnson, Sid Williams, Carol Anne Smalley, Julie Fenimore, and Arie DeZanger for additional one-year term; seconded by Mr. Burnaford. Motion carried unanimously.

**5. SATAX Committee:** Mr. McIver moved to appoint Diane Permar, Gail Vandall, and Roger Warren for membership to the SATAX Committee; motion seconded by Mr. Burnaford. Mr. McIver moved to reappoint Dylan Jones, Pam Harrington, Bill Daniel, and Bill Blizard for additional one-year terms; motion seconded by Mr. Burnaford. Motion carried unanimously.

**Mr. McIver moved to appoint Bill Daniel as the committee chair; motion seconded by Mr. Orban. Motion carried unanimously.**



**K. Planning Commission Appointment**

**Mayor Wert moved to appoint JoAnne Makely and Fred Peterson for four-year terms to the Planning Commission; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**Mayor Wert moved to appoint Joyce Neuman for a one-year term to the Planning Commission; motion seconded by Mr. Lipuma. Motion carried unanimously,**

**L. BZA Appointment**

**Mayor Wert moved to reappoint Carol Fishman and Thomas Burke for a three-year term to the Board of Zoning and Appeals; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**M. Abolishment of Public Works Committee**

Mr. Orban briefly discussed the discontinuation of the Public Works Committee. Mr. Orban said that there are not enough agenda items to be discussed on a monthly basis that would constitute the continuation of this committee.

Mr. Orban will schedule meetings on an as needed basis to discuss special project.

**N. Resolution 2007-01 Town of Kiawah Island Employee Handbook**

Mrs. Rucker said that she has been working with a Labor Attorney and Dennis Rhoad, Town Attorney, to review the existing handbook. As a result, the employee handbook has been revised to include state law updates; changes in the employment at will doctrine, a variety of policies, and a separate substance abuse and testing policy.

**Mr. McIver moved to approve Resolution 2007-01 Town of Kiawah Island Employee Handbook; motion seconded by Mr. Burnaford. Motion carried unanimously.**

**O. Kiawah Island Resort Franchise Agreement Extension**

