

**TOWN COUNCIL MEETING
KIAWAH ISLAND MUNICIPAL CENTER
COUNCIL CHAMBERS
September 11, 2007, 2:00 PM
Minutes**

I. Call to Order: Mayor Wert called the meeting to order at 2:00 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
Charles R. Lipuma
G. Steven Orban

Also Present: Amber Simmons, Town Clerk
Dennis Rhoad, Town Attorney
Kenneth Gunnells, Town Treasurer
Tumiko Rucker, Town Administrator

V. Approval of Minutes:

A. Town Council Minutes for August 7, 2007

Mayor Wert moved to approve the August 7th, 2007 Town Council minutes; motion seconded by Mr. Lipuma.

Mayor Wert and Mr. Lipuma made corrections to the minutes.

With their corrections the minutes were approved unanimously.

VI. Citizens Presentation:

A. Reverend Rob Dewey

Reverend Rob Dewey, Coastal Crisis Chaplaincy, gave a brief presentation concerning the role of the chaplaincy program in the Tri-County Area. Reverend Dewey noted that

Chaplains from the Coastal Crisis Chaplaincy have responded to various types of calls for service on the Island to assist with support for family members and emergency service personnel. Reverend Dewey asked for consideration of funding to support this program.

Mayor Wert said that the Town has just completed this year's fiscal budget and would consider funding next year.

B. Lowcountry Food Bank- Jermaine Husser

Mayor Wert presented a check to Jermaine Husser, Lowcountry Food Bank, from the proceeds raised at the 1st Annual Lowcountry Heritage Arts Festival in the amount of \$ 778.01.

VII. Old Business:

A. Kiawah Island Parkway Project Update

Mr. Orban said that he, Mrs. Rucker and Mr. Jordan met with the Corp of Engineers on August 8, 2007 to discuss the Kiawah Island Parkway Project. Since the last meeting with the Corp of Engineers, we have identified two possible mitigation options for the Kiawah Island Parkway Project.

Our project consultant, LPA, has contacted the SC Nature Conservancy which has indicated that they have several projects that may meet the Town's needs for mitigation. Currently, LPA and the Conservancy are discussing the projects with the Federal Agencies to ensure that the projects meet their guidelines.

The Town has also been discussing with the Kiawah Island Development Partners the potential of identifying on Island options for mitigation. To date a 3 1/2 acre site has been identified. We are still in the preliminary stages of discussion to determine if this will be viable option for our mitigation needs.

VIII. New Business:

A Purchase of Wildlife Vehicle

Mrs. Rucker explained that the current Chevrolet Colorado driven by Mr. Jordan and Mr. Rice during their field work has suffered extreme rust and deterioration over the last three years. This vehicle has fully depreciated in value and is currently unsafe to operate. Based on this assessment we brought forth a request to approve up to \$30,000 to purchase a 2007/2008 Toyota Tacoma. This new vehicle would be outfitted and undercoated to help slow down the rust process and provide Mr. Jordan and Mr. Rice with a safe vehicle to operate.

Mayor Wert noted that the Chevrolet Colorado has been parked at the Council's direction because it is unsafe to drive and we do not want to risk anyone's health or well being.

Mayor Wert noted that the Ways and Mean Committee recommended the approval of this expenditure for the purpose of buying a 2007/2008 Toyota Tacoma.

Mayor Wert moved to approve the purchase of a 2007/2008 Toyota Tacoma not to exceed \$30,000 motion seconded by Mr. McIver, Motion carried unanimously.

B. Greenbelt Application

Mayor Wert explained that the ½ sales tax referendum allocated funding for a Greenbelt Program.

This program includes saving green space. The Town has been allocated \$120,361, but there are two different requirements set forth by the State in order to receive the funding. Those requirements include a matching fund of at least half the amount that has been allocated or more and must fit the criteria set forth within the application itself. The Town looked at the landscaping on the Kiawah Island

Parkway and the total cost to landscape would be approximately \$280,000 which includes the design cost. If we use the \$120,361 which would qualify for the Greenbelt, then the Town would have to match the allocated amount or up to \$160,000, if the total project cost is \$280,000. We would take this money from the Local Accommodations Tax Fund. If the project came in under the estimated project cost of \$280,000, then the Town could reduce the amount and only match the \$120,361. Mayor Wert noted that if a match fund is not approved, then the Town would not receive the \$120,361.

The Ways and Means Committee has made a recommendation to Council. That the Town Council put forth the matching amount not to exceed \$160,000 in order to receive the \$120,361.

Mayor Wert moved to approve the matching fund not to exceed \$160,000; motion seconded by Mr. Lipuma. Motion carried unanimously.

C. Purchase of Computer Equipment

Mrs. Rucker said that the Town has followed the practice of replacing its computers and equipment on a three year rotation. The Town has already budgeted for the replacement of six computers in this fiscal year. The Ways and Means Committee met on September 5, 2007 and reviewed the proposal concerning the purchase of the new computers and equipment. Mrs. Rucker said that instead of purchasing six desk top computers we would purchase six lap tops and docking stations. Several of the current computers that are in operation are in need of software upgrades or memory. Mrs. Rucker noted that several of these computers are not compatible with other programs due to the changes in technology. These six lap top would have the Windows XP Pro System and would be compatible with Vista.

Mrs. Rucker said that the request is to approve the budgeted expenditure not to exceed \$15,000 for the purchase of six laptop, docking stations, new adobe creative suite software, a set of five backup tapes, and a computer rack for storage of the network server and disaster recovery server.

Mayor Wert moved to approve the expenditure for purchase of computers and equipment not to exceed \$15,000; motion seconded by Mr. Orban.

Mr. Burnaford asked why the Town is going from desktop computers to laptop computers. Mrs. Rucker said that this transition would allow for additional operations. For example, if we are required to evacuate, then we could take the laptops with us and continue to operate as if we were inside Town Hall. Also, this would not require that we synchronize with your desk top computer and removes the duplication of the desktop and the laptop.

Mr. Burnaford said that he could rationalize some people having a laptop, but not everyone because there is a significant difference in price between the desktop computers and the laptop computers.

Mayor Wert said that the Ways and Means Committee looked at the price difference between the desktop and the laptops and the flexibility of having the laptops outweighs the price difference. Furthermore, after researching this, we found that several of our employees do work from home and by having a laptop would allow them to continue to work from home.

Mr. Burnaford said that he is just wondering how many staff employees need the flexibility of a laptop computer and how many do not need the flexibility. Mr. Burnaford also discussed the liability and damage cost associated with the laptops versus the desktops.

Mayor Wert noted that we were also looking at compatibility versus multiple types of equipment and the interchangeability.

Mr. McIver said that the laptops would allow for additional flexibility and with the docking stations, it would mirror the desktops, and would allow the benefit of both worlds in his opinion.

Mayor Wert called the question all on favor of the purchase of the computers and equipment. All members voted in favor of the motion. The motion carried unanimously.

D. Online Credit Card Acceptance for Town Services

Mr. McIver said that this service would allow people who are obtaining a Business License to pay for their license online with a credit card. In particular, the larger companies who have their corporate office out of town but have a field office locally could pay for their business license online. This service would allow various companies to go onto the Town's website and pay for their business license with a credit card in a fast and timely manner.

Mr. Orban asked how this process would work. Mr. McIver said that the payment would go to the bank and they would process the payment. Mr. Orban asked how many people would use this service. Because when this item came up for discussion at the Ways and Means Committee meeting, he was not in favor of this service. Mr. Orban expressed concern about the number of people using this service and the costs associated with this service. Mr. Orban said that he would have problems supporting this expenditure.

Mr. Lipuma asked if there is a discount rate associated with this service and who would pay for the discounted rate. Mr. McIver said that there is a discount rate available which

is 1.25 % and the Town would absorb this fee. Mr. Lipuma asked what the annual absorption fee would be to the Town, and Mr. McIver said that it would depend on how many people would use this service. Mr. McIver said that people are currently paying their business license fee by credit card but can do this only at Town Hall.

Mrs. Rucker noted that the Town has received less than \$300 in fees associated with people paying by credit card in last year's fiscal budget.

Mr. Burnaford noted that this does not mean that people will go online and use this service. Mrs. Rucker said that this is true however; the Town has received numerous requests from various companies asking the Town to implement the online credit card service so that they may pay for their business license by credit card.

Mrs. Rucker noted that without having this service available it places many companies in a position where they may incur a late fee because they are unable to pay with a credit card.

Mr. Burnaford asked if the Ways and Means Committee recommended the approval of this expenditure. Mr. McIver said that they did recommend the approval with a vote of 2 to 1.

Mr. Lipuma asked if these companies could pay their business license by credit card over the telephone. Mrs. Rucker said that they can pay for their business license over the phone but many customers feel uncomfortable giving their credit card numbers over the phone.

Mr. Lipuma asked if they would feel more comfortable paying online. Mrs. Rucker said "Yes" because the credit card information is given on a secured site to a third party and the risk of theft is greatly reduced.

Mr. Orban asked how long it would take for the Town to earn back the \$10,000. He further asked where the saving is for the Town. Mr. Orban noted that other than convenience to a few national companies that would like to pay by credit card online, where is the benefit to the Town.

Mayor Wert noted that one of the Town's functions is to offer services and conveniences.

Mr. McIver noted that the Town has over 4,000 companies paying for a business license each year. He explained that the business license revenue generated each year can justify this service.

Mr. McIver moved to approve this expenditure for Online Credit Card Acceptance for Town Services not to exceed \$10,000 to be taken from the General Fund Contingency Line Item. Motion seconded by Mr. Burnaford. Motion carried 4-1 with Mayor Wert, Mr. McIver, Mr. Lipuma, and Mr. Burnaford voting in favor of the motion and Mr. Orban voting against the motion,

E. Proclamation for Beach Sweep/River Sweep Day

Mayor Wert said that this is for informational purposes and that this is a day when volunteers walk the beach and collect debris. Mayor Wert noted that last year, nearly eleven tons of trash was collected on the South Carolina beaches across the State.

Mayor Wert said that all volunteers will meet at Night Heron Park at 8:00 AM to receive assignments on September 15, 2007. He also noted that all volunteers will be given light refreshments. To sign up to help people can call the Night Heron Nature Center.

Mayor Wert proclaimed September 15, 2007 as Beach Sweep/ River Sweep Day.

F. Lease Agreement on Parking Lot Adjacent to Town Hall

Mayor Wert explained that the Town leased the area adjacent to Town Hall for parking and the lease ran out in 2005. This property was leased through Kiawah Island Resort Associates. The Town has a desire to pave this area for additional parking for staff, visitors, and property owners. Mayor Wert said that we need to obtain an additional lease and get permission from the owner prior to starting the project. We asked KRA to renew the lease for \$1 a year and allow us to pave this area. One of the conditions set forth in the lease is that if KRA terminates the lease the Town will have to return the property to its original state.

Mayor Wert said that we did include in this year's budget \$30,000 for improvements to the parking lot adjacent to Town Hall from the Hospitality Tax Fund. These improvements would include the paving of the property, striping the parking lot, and additional lighting.

Mayor Wert moved to approve the expenditure of paving the parking lot adjacent to Town Hall not to exceed \$30,000; motion seconded by Mr. Lipuma.

Mr. McIver moved to amend the motion to include upon the execution of a new lease agreement; motion seconded by Mr. Orban. Motion carried unanimously.

G. FY 2006/2007 Arts Annual Council Report

Mr. Lipuma briefly reviewed the FY 2006/2007 Arts Council Report. He gladly reported that the

FY 2006/2007 Arts Council Season was under budget and received positive feedback from the Council Members about the season (See Attached Report).

IX. Correspondence:

A. Letter from Coastal Crisis Chaplaincy requesting funding

Mayor Wert stated that the Town received a letter from Reverend Rob Dewey requesting funding in the amount of \$5,000 to support the Coastal Crisis Chaplaincy. This request will be considered at a later time or during next year's fiscal budget (See attached letter).

B. Letter from South Carolina Department of Transportation concerning the bridge replacement along S-20 (Bohicket Road) over the Bohicket Creek in Charleston County.

Mayor Wert said that the Town received a letter from the South Carolina Department of Transportation concerning the bridge replacement along S-20 (Bohicket Road) over the Bohicket Creek in Charleston. The letter indicated that the contractor would begin mobilization on September 5th, 2007 and the completion date for this project should be April 30, 2008 (See attached letter).

X. Committee Reports

Environmental Committee

Mr. Lipuma said that there were four wildlife calls last month, which included a 50 lb fawn killed by a car on Kiawah Island Parkway, a 5foot, 5inch male dolphin found dead on the beachfront near the Beach Club, an 8 foot alligator found in a flower bed near the Sanctuary Hotel that was relocated, and an adult female bobcat killed by a vehicle at the Flyway/Jackstay intersection.

The Piping Plover Monitoring is being conducted twice every 10 days and will continue to the end of October. On November 1, 2007 monitoring will be done twice monthly. To date, an average of 11 piping plovers per survey have been spotted including banded plovers from all 3 populations, Great Lakes, Atlantic Coast, and Northern Great Plains.

To date 12 alligators nests have been located in the Kiawah ponds.

Recent fish kills have resulted from warm water with high salinity causing low oxygen content. The most notable fish kills were at Pintail Pond in July where 5600 lbs of dead fish was recovered. More recently, 400 lbs were cleaned up at pond 76 and 40 lbs at pond 20.

Arts Council

The 2007/2008 Arts Council Season is forming nicely. The focus for this season is on a variety of "Series" for example, Concert, Chamber, Jazz, Ballet, Women in Music and a Sandcastle series.

First off is a full Charleston Symphony Orchestra conducted by Scott Terrell and performing a Classical Concert featuring music by Schubert, Debussy, Verdi and others. This event will be held at Holy Spirit Catholic Church on Thursday, October 4, 2007 at 7:30PM. Tickets will be available at Town Hall starting September 20, 2007.

The October issue of *Town Notes* will publish the 2007/2008 Arts Council Season Planner which will show all performances confirmed to date. The planner will be updated monthly and included in *Town Notes*. Mr. Lipuma encouraged people to check the Town's website for updates on events.

Public Safety Committee

No report.

Financial Report

Mr. McIver said that the annual audit of the Town financial statements is currently underway and is moving ahead rapidly, thanks to the help of Mr. Gunnells, Town Treasurer, and his willingness to work with the auditors. We should have a completed audit available for review for the Town Council Members and the Public at our next Town Council meeting which is October 4, 2007.

Communications Committee

The Communications Committee meeting was cancelled in August, due to a lack of a quorum.

Mr. Burnaford noted that the first issue of the combined *Town Notes* and *The Kiawah Island Digest* was mailed this month with great feedback from property owners. Mr. Burnaford also commented on the new look and layout of Town Notes.

Johns Island Council

No report.

XI. Town Administrator's Report

Mrs. Rucker said that we are currently in the open enrollment period for employee health insurance benefits and staff members are considering their options, and will meet with various representatives over the next month and half.

The 1st Annual Lowcountry Arts Festival was held on August 24, 2007 and was a success. There were 100 people in attendance and 60 people purchased the meal that was available.

Several Council Members attended the Elected Official NIMS ICS training offered by Charleston County last month. Mrs. Rucker attended the NIMS ICS training and has completed the following classes: ICS 100, ICS 300, ICS 400, and ICS 700.

Mayor Wert, Mr. Gunnells and Mrs. Rucker attended the Association of Public Treasurers Conference in San Diego, California, where we received our award for certification of excellence for our Disaster Preparedness Policy.

Mrs. Rucker will provide a welcome at the South Carolina Municipal Clerks/Treasurer Conference in Columbia, South Carolina on behalf of the Association of Public Treasurers.

XII. Mayor's Report

Our turtle, Cami which was located at Freshfields has been relocated to the aquarium downtown along with the other twenty-six turtles. This Saturday, September 15, 2007 the turtle auction will occur at Liberty Square to raise money for turtle research. The preview of the turtles will begin at 6:30 PM and the auction will begin at 8:30 PM. The Town has not received an over whelming response from the citizens to purchase our turtle, therefore we will allow someone else to enjoy the turtle.

We did have our first boat grounding at the renourishment area. A property owner tried to enter the channel and got stuck; however with the help of our Beach Consultant and Town Staff the boat was removed.

Mayor Wert congratulated the Communications Committee, Mr. Burnaford, and staff for *Town Notes*. He also thanked the Kiawah Island Community Association for allowing us to piggyback with the Kiawah Island Digest. This will allow the *Town Notes* to reach all property owners.

XIII. Citizens' Comments/Questions: None

XIV. Council Members Comments

Mr. Burnaford did not have any comments.

Mr. McIver did not have any comments.

Mr. Orban said that in the absence of Mr. Burnaford, he attended the Johns Island Council meeting on September 6, 2007 and listened to the variety topics, which included: a new subdivision and concerns regarding additional vehicular traffic on the roadways. One issue that was discussed by Chris Cannon is that Bohicket Road will eventually become four lanes. He formed a Blue Ribbon Committee to provide input to the State and the County. Mr. Burnaford asked me to put him on the Committee, which I did in his absence.

Mr. Lipuma said that several years ago, a study was completed on widening Bohicket to four lanes and is currently being updated by Charleston County. Mr. Lipuma asked how long this update would take.

Mr. Burnaford reported that on July 24, 2007 the Charleston County Council approved the funding for the consultant, LPA, to complete the update. During the meeting they estimated that the update would take at least two to three months to complete.

Mayor Wert noted that the intention is to have the updated study available to the public by the end of the year.

XV. Executive Session-Legal-Contractual Matters

Mayor Wert moved to adjourn the regularly scheduled Town Council meeting at 3:00 PM; motion seconded by Mr. Orban, Motion seconded by Mr. Orban. Motion carried unanimously.

Mayor Wert moved into executive session at 3:05 PM to discuss legal/contractual matters; motion seconded by Mr. Orban. Motion carried unanimously.

Mayor Wert noted that no decisions or actions were taken during executive session.

XIV. Adjournment

Mayor Wert moved to adjourn the meeting at 5:35 PM; motion seconded by Mr. Burnaford. Motion carried unanimously.

Submitted by _____
Amber Simmons, Town Clerk

Approved: _____
William G. Wert, Mayor

Date: _____

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