



Mayor

John. D. Labriola

Council Members

John Moffitt

Bradley D. Belt

Russell A. Berner

Michael Heidingsfelder

Town Administrator

Stephanie Monroe Tillerson

TOWN COUNCIL MEETING

Municipal Center Council Chambers

January 10, 2023; 2:00 PM

AGENDA

- I. **Call to Order:**
- II. **Pledge of Allegiance**
- III. **Roll Call:**
- IV. **Approval of Minutes:**
 - A. Minutes of the Town Council Meeting of November 1, 2022 [Tab 1]
- V. **Updates:**
 - A. Mayor
 - B. Council Members
 - C. Administrator
- VI. **Recognition**
 - A. The Federal Bureau of Investigation to Recognize the Town's Public Safety Department, Barrier Island Rescue Ocean, and the Kiawah Island Golf Resort Safety & Security Division.
- VII. **Citizens' Comments (Agenda Items Only):**
- VIII. **Old Business:**

None
- IX. **New Business:**
 - A. To Consider Approval of **Ordinance 2023 – 01** An Ordinance of The Town Council of the Town of Kiawah Island – Marsh Management Plan – **Public Hearing and First Reading** [Tab 2]
 - B. To Consider Approval of the 2023 Meeting Schedule [Tab 3]
 - C. Appointment of Mayor Tempore
 - D. Re-Appointment of Town Finance Director [Tab 4]
 - E. Re-Appointment of Town Clerk [Tab 5]
 - F. Re-Appointment of Town Attorney [Tab 6]
 - G. 2023 Committee Appointments [Tab 7]
 - Arts Council & Cultural Events Council
 - Audit Committee
 - Public Safety Committee
 - SATAX Committee
- X. **Council Member Comments:**
- XI. **Citizens' Comments:**
- XII. **Adjournment:**



TAB 1

TOWN COUNCIL

Agenda Item

TOWN COUNCIL MEETING
Municipal Center Council Chambers
November 1, 2022; 2:00 PM

Minutes

I. **Call to Order:** *Mayor Labriola called the meeting to order at 2:00 pm.*

II. **Pledge of Allegiance**

III. **Roll Call:**

Present at Meeting: John D. Labriola, Mayor
Dan Prickett, Mayor Pro Tem
John Moffitt, Councilmember

Also Present: Stephanie Tillerson, Town Administrator
Joe Wilson, Town Attorney
John Taylor, Jr. Planning Manager
David Irwin, Mauldin and Jenkins

Approval of Minutes:

A. Minutes of the Town Council Meeting of October 4, 2022

Mayor Pro Tem Prickett made a motion to approve the Town Council meeting minutes of September 6, 2022. Councilmember Moffitt seconded the motion, and it was unanimously approved.

IV. **Mayor's Update:**

Mayor Labriola congratulated the Kiawah Conservancy on their 25th Anniversary, stating that the work done by the organization's staff, the board, and volunteers over the years was very appreciated.

Mayor Labriola stated in the upcoming election that new members of the Council would be elected. He reviewed some of the changes taking place over the next five years:

- changing and ending of longstanding relationships,
- the possibility of new projects presented to the Council and the Community,
- existing projects will be well underway,
- the continuing expansion of housing on Johns Island, County resources and services will be under serious pressure impacting Kiawah and neighboring communities
- the improvements to Main Road would be well underway, but until completed, would exacerbate traffic issues

Mayor Labriola stated that Town Council must continue to welcome the Island's visitors and new homeowners, ensure residents have accurate information on all issues that impact them, be vigilant in controlling financial resources and planning for future events, and protect the island's environment.

Mayor Labriola stated that the Community Association would hold an event on November 17th when questions can be posed to the candidates to hear their thoughts and perspectives on the future and how they see themselves impacting the Town Council. He encouraged everyone to vote in the election on December 6.

V. **Citizens' Comments (Agenda Items Only):**

Maura McIlvain – 146 Blue Heron Pond Road

Ms. McIlvain reviewed the objection to the phrasing of the proposed contract for legal services with Mr. Wilson that she raised at the Ways and Means Committee meeting. The proposed one-year term with an auto-renewal did not allow termination on any notice. She noted that following the meeting, Mayor Labriola indicated that the language would change to include an “out-clause.”

Ms. McIlvain expressed her concerns with the 4th Amendment to the 2013 Amended and Restated Development Agreement being considered for approval. She felt that the information communicated on the amendment was not sufficient and timely.

Lin O’Leary – 28 Grey Widgeon Lane

Ms. O’Leary also expressed her concern that the information communicated was insufficient and is seen as a lack of transparency which causes community tension, discord, and lack of trust. She asked that complete information be released to the Community on the agenda items.

Larry Wolahan – 406 Snowy Egret

Mr. Wolahan indicated that he did not understand the catalyst for the amendment being considered, and, in his opinion, it was not planned.

Alex Fernandez – 418 Snowy Egret

Mr. Fernandez stated that in the past two years, the contract for legal services with Mr. Wilson was considered in December. He felt that the approval of counsel should be left to the newly elected majority Council and asked that approval be deferred.

Michael Heidingsfelder – 2 Shell Creek Landing

Mr. Heidingsfelder indicated that he was speaking as a 20-year resident and citizen of the island, not a member of the Town’s Planning Commission. He asked that the Council reconsider two agenda items: 4th Amendment to the Development Agreement and the Town Counsel service contract. He felt that the new council members should be provided with additional information and involved in deciding the two items; therefore, he asked that they be removed from the agenda until a full Council is seated.

Larry Wachowski – 232 Sparrow Hawk

Mr. Wachowski agreed with the previous comments and Mayor Labriola’s assessment of the upcoming election. He expressed his concern about considering an amendment to the Development Agreement prior to a full Council being seated. He questioned the purpose, indicating that insufficient time and resources were provided.

VI. Presentation:**A. Fiscal Year 2021/2022 Audit Presentation – Mauldin Jenkins**

Mr. David Irwin, a managing partner with the audit firm of Mauldin Jenkins, gave a presentation on the Town’s financial audit for the fiscal year ending June 30, 2022. He stated the purpose was to discuss some general information on Mauldin and Jenkins, provide an overview of the independent auditor’s report, highlight the financial statements, review the results of the compliance report issued in conjunction with the audit, provide the required auditing standards information, discuss information auditing standards require to be communicated and to answer

any questions.

Mr. Irwin reviewed the following discussion points:

- **Audit Opinion**
The financial statements are the responsibility of the Town's management and members of the Town Council. Mauldin Jenkins, as external auditor, is to express opinions on these financial statements based on our audit. Mauldin Jenkins conducted the audit in accordance with governmental auditing standards and generally accepted auditing standards (GAAP).
- **Opinions**
Mauldin Jenkins has issued a clean or unmodified opinion on this year's audit report, which is the highest level of assurance that can be provided. The respective financial statements are fairly presented in all material respects in accordance with GAAP.
- **Compliance Report**
The Compliance Report or Yellow Book Report reports the Town's internal controls and compliance with various state laws and regulations. Mauldin Jenkins has no audit findings to report or found no deficiencies or material weakness in the internal control during the audit.

Mr. Irwin commended the Town staff on their work in preparing for the audit and accommodating the audit staff. He also commended the Audit Committee's engagement in thoroughly reviewing the financial documents.

- **Financial Statements - ACFR**
An Annual Comprehensive Financial Report (ACFR) goes beyond the standard financial reporting required by accounting principles. As a result, the Town's ACFR was submitted to the Government Finance Officers Association (GFOA) and was stringently reviewed and deemed to merit the GFOA's Certificate of Achievement for Excellence in Financial Reporting award for the 18th year in a row.
- **Financial Statements – MD&A**
The purpose of the Management's Discussion and Analysis (MD&A) is to make it easier to understand the financial statements by providing a narrative explanation or summary from the management's perspective of the activities that occurred throughout the year.
- **Financial Statements**
The presented financial statements included three components
 - 1) government-wide financial statements
 - 2) fund financial statements
 - 3) notes to the financial statements.

During the discussion of the components of the financial statements, Mr. Irwin reviewed the assets, liabilities, revenues, expenses, and net position. He stated that the Town has a very healthy General Fund balance pointing out that Kiawah Island does not impose a property tax and identified business licenses, building permits, and franchise fees as significant revenue sources.

Mr. Irwin stated that the footnotes, which disclose the Town's accounting methods and provide an expanded explanation of the financial activities throughout the year, showed no significant changes this year. He also reviewed the required communications:

- Clean Opinion and No Audit Findings
- We Received Full Cooperation from Management and Staff
- No Disagreements with Management

- No Significant Issues Discussed with Management
- No Uncorrected Misstatements
- We are Independent of the Town as required by Government Auditing Standards

Councilmember questions included the percentage of funds for capital expenditures and a comparison to other municipalities, the process and methods used in testing, and satisfaction that there were no areas of concern.

B. Kiawah Island Parkway Traffic Update – John Taylor, Jr.

Mr. Taylor presented the traffic counts conducted during the peak season of 2022 along the Kiawah Island Parkway including Beachwalker Drive, Governors Drive, Flyway Drive and Ocean Course Drive. The presentation included the following:

- Introduction
- Development Agreement: Traffic Mitigation (Exhibit 10.1)
 - Traffic counting periods
 - Traffic counter locations
 - Evaluating traffic – Near Capacity Traffic Volume
 - Traffic mitigation measures and traffic management strategies
- Collected Traffic Data Summary
 - Date from June, July, and August
 - Evaluating traffic
- Recent Traffic Mitigation & Safety Improvements
- Kiawah Island Parkway Intersection Corridor Study

Mr. Taylor stated that based on the traffic counts, we have seen elevated traffic volumes but the Near Capacity Traffic Volume to require traffic mitigation has not been reached. Councilmembers discussed the 2022 data traffic counts provided, a comparison of the data used in the assessments provided in the Kimley Horn Study, and the improvement of capacity through the main gate.

VII. Old Business:

- A. To Consider Approval of *Ordinance 2022-06* - An Ordinance To Amend the Town Of Kiawah Island Municipal Code Chapter 12. – Land Use Planning And Zoning, Article II. – Zoning, Division 2. - Zoning Map/Districts, Section 12-64. – Setbacks. – *Second and Final Reading***

Mr. Taylor stated that there were no changes to Ordinance 2022-06 from the first reading.

Mayor Pro Tem Prickett made a motion to approve Ordinance 2022-06 - To Amend the Town Of Kiawah Island Municipal Code Chapter 12. – Land Use Planning And Zoning, Article II. – Zoning, Division 2. - Zoning Map/Districts, Section 12-64. – Setbacks. Councilmember Moffitt seconded the motion, and it was unanimously approved.

- B. To Consider Approval of *Ordinance 2022-07* - An Ordinance To Amend the Town Of Kiawah Island Municipal Code to amend Chapter 8. – Noise Prohibited, Section 15-804. - Decibel Level Prohibitions– *Second and Final Reading***

Mr. Taylor stated that following the first reading of Ordinance 2022-07, staff was directed to review the ordinance and amend it with the additional language in Section -804(2) to provide a distinction between portable and home/standby generators:

- g. Properly installed and operating whole house generators.
- h. Portable generators associated with emergency situations.

1. Portable generators not associated with emergency situations must adhere to maximum decibel limitations.

Councilmember Moffitt made a motion to approve amended Ordinance 2022-07 - To Amend the Town of Kiawah Island Municipal Code to amend Chapter 8. – Noise Prohibited, Section 15-804. - Decibel Level Prohibitions. Mayor Pro Tem Prickett seconded the motion, and it was unanimously approved.

VIII. Consent:

A. To Consider Approval of the Contract Agreement for Municipal Legal Services

Ms. Tillerson stated that at the Ways and Means Committee meeting, the concern was raised that there was no explicit clause in the proposed contract that would allow Council to terminate the agreement. She noted that the clause had been inadvertently left out and included in the agreement presented in reviewing the previous agreement.

Ms. Tillerson stated that the 2019 contract agreement for legal services was approved in November 2019. The current Council approved the following contract agreement in December 2021. With the Council's term expiring on the same day as the election, it is the normal schedule for the sitting Council to consider and approve contracts until the end of their term.

Mayor Pro Tem Prickett made a motion to approve the amended Contract Agreement for Municipal Legal Services with Joseph Wilson. Councilmember Moffitt seconded the motion, and it was unanimously approved.

B. To Consider for Approval of Contract with Placer

Ms. Tillerson stated that the Ways and Means Committee recommended approving the contract with Placer with a 2-to-1 vote. Placer is an economic development software tool that tracks cell phone service apps to monitor and create reports on the locations and movements of individuals.

Mayor Pro Tem Prickett made a motion to approve the contract with Placer. Councilmember Moffitt seconded the motion. The motion was approved by a 2 to 1 vote, with Councilmember Moffitt voting "No."

IX. New Business:

A. To Consider Approval of the Fourth Amendment to the 2013 Amended and Restated Development Agreement To Amend the Term of the Agreement

Mayor Labriola provided background on the proposal from the Partners for the development of Upper Beachwalker that was presented to the Council and the Community earlier in the year. In the presentation were proposed changes to the Development Agreement, but the Developer chose not to move forward with the proposal and to take another course of action which was presented to the Planning Commission. This prompted Mr. Wilson and additional counsel, Mr. Appel, to review the current Development Agreement.

Mr. Wilson stated that 2013 Amended and Restated Development Agreement between the Town and the Developer was an amendment and restatement of the 2005 Development Agreement. He presented and engaged in an in-depth discussion of the items he and Mr. Appel felt needed to be addressed.

Discussion of the “Term of the Agreement” included references to ambiguity with the South Carolina Local Government Development Agreement Act. In discussion with the Developer, both agreed it would be beneficial to enter into an agreement to address the issue.

Mr. Wilson reviewed the language of the Fourth Amendment to the 2013 Amended and Restated Development Agreement To Amend the Term of the Agreement being proposed for approval.

Councilmembers discussed the proposed amendment, the benefit of providing clarity and compliance with state law, and the ability of future Councils to make further changes.

Further discussion included public comments from:

Brad McIlvain - 146 Blue Heron Pond Road

David DeStefano – 31 Burrows Hall

Larry Wachowski – 232 Sparrow Hawk

Mayor Pro Tem Prickett made a motion to approve the Fourth Amendment to the 2013 Amended and Restated Development Agreement To Amend the Term of the Agreement. Councilmember Moffitt seconded the motion, and it was unanimously approved.

- B.** To Consider Approval of the Recommendation to the Charleston County Council to Re-Appoint Robert Wright as a St. Johns Fire District Fire Commissioner

Councilmember Moffitt made a motion to approve the recommendation to the Charleston County Council to re-appoint Robert Wright as a St. Johns Fire District Fire Commissioner. Mayor Pro Tem Prickett seconded the motion, and it was unanimously approved.

- C.** To Consider Approval of the Employee Medical Insurance Premium Structure

Ms. Szubert stated the request was presented to the Council at the last meeting, where they directed staff to have a workgroup look at the request.

The workgroup, led by Councilmember Moffitt, looked at details of the request along with the implementation of the 20/80 payment structure that requires the employee to pay 20% of the total premium, and the Town pays 80%. With the higher total premiums, the current structure of 20/80 will cause employees with single coverage to pay higher contributions than the maximum required by PEBA.

The Town Staff is asking Town Council to consider approving the same structure; 20% of the full premium paid by the employee and 80% of the full premium paid by the Town with the exception when the employee portion is more than 20%; the employees rate will be reduced to the maximum rate required by PEBA.

Councilmember Moffitt made a motion to approve the Employee Medical Insurance Premium Structure as presented. Mayor Pro Tem Prickett seconded the motion, and it was unanimously approved.

- X. Town Administrator’s Report:**

No report

- XI. Council Member:**

- a. Committee Updates
- b. General Comments

Mayor Pro Tem Prickett stated that on October 19, Ms. Honeycutt, Kiawah's representative on County Council, provided an update on roads relative to Segment C. He indicated there was no consensus on the alternatives, which delays progress. Therefore, the project engineers will be asked about their best alternative option, and their proposed selection will be presented for public comment.

Councilmember Moffitt commented on the amazing work done by the Arts and Cultural Events Council in place to entertain the residents of Kiawah.

XII. Citizens' Comments:

Michael Heidingsfelder – 2 Shell Creek Landing

Mr. Heidingsfelder suggested that materials for the meeting are provided well in advance of the meeting.

XIII. Adjournment:

Mayor Pro Tem Prickett made a motion to adjourn the meeting at 3:52 pm. Councilmember Moffitt seconded the motion, and it was unanimously passed.

Submitted by,

Petra S. Reynolds, Town Clerk

Approved by,

John D. Labriola, Mayor

Date



TAB 2

TOWN COUNCIL

Agenda Item

THE TOWN OF KIAWAH ISLAND

ORDINANCE 2023-01

AN ORDINANCE TO ADOPT THE TOWN OF KIAWAH ISLAND'S COMPREHENSIVE MARSH MANAGEMENT PLAN

WHEREAS, the Town of Kiawah Island now finds that, it is in the public interest to adopt a Comprehensive Marsh Management Plan for the Town of Kiawah Island to explore various methods of protection for the Islands's marsh including management strategies for mangaging the interface between the highlands and critical area that is vital to a healthy salt marsh; and

WHEREAS, the Town of Kiawah Island recognizes this long-term issue and seeks to protect and preserve Kiawah's quality of life by initiating pathways forward relative to the salt marsh; and

WHEREAS, the Comprehensive Marsh Management Plan is envisioned to be a living document that should be revisited once every five years to assess the effectiveness of implemented recommendations and adapt as needed for improved management; and

WHEREAS, the findings and recommendations of the Comprehensive Marsh Management Plan were developed and influenced through community outreach and public engagement; and

WHEREAS, the Planning Commission held a meeting on December 7, 2022, at which time a presentation was made by staff and the hired consultant team, and an opportunity was given for the public to comment on the plan; and

WHEREAS, the Planning Commission, after consideration of the staff report, subsequently voted to recommend to Town Council that the proposed plan be approved; and

WHEREAS, Town Council held a Public Hearing on January 10, 2023, providing the public an opportunity to comment on the proposed plan.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL.

Section 1 **Purpose**

This Ordinance is to adopt the Town of Kiawah Island's Comprehensive Marsh Management Plan to to consolidate existing marsh-related needs and recommendations across the Kiawah entities to guide future marsh management on the island.

Section 2 **Ordinance**

The Town of Kiawah Island's Comprehensive Marsh Management Plan is hereby adopted as follows:

See attached "**Exhibit A**" incorporated herein by reference which shall replace and hereafter be known as the Town of Kiawah Island's Comprehensive Marsh Management Plan.

Section 3 **Severability.**

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind property, circumstances or set of circumstances, such holding shall not affect the circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances

Section 4 **Effective Date and Duration**

This Ordinance shall be effective upon its enactment by Town Council for the Town of Kiawah Island.

**PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND
ON THIS 7th DAY OF February 2023.**

John Labriola, Mayor

Petra S. Reynolds, Town Clerk

Public Hearing: January 10, 2023

First Reading Approval: January 10, 2023

Second Reading Approval: February 7, 2023

"DRAFT COPY"

11.17.2022

Exhibit "A"



The Town of Kiawah Island

Comprehensive Marsh Management Plan



November 2022

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"DRAFT COPY"

11.17.2022

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Acknowledgements

This document synthesizes input and work by several dedicated people and organizations who guided its development: the Town of Kiawah Island Town Council, Planning Commission, and staff; residents who attended meetings and hosted site tours; and the consultant team of Biohabitats and Elko Coastal Consulting. We also thank all participants in the August workshop for ending their time and perspectives.

Introduction

Although the wealth of salt marsh in Kiawah has been considered in several recent assessment and planning processes, this is the first document to focus solely on the marsh and bring together various tools for its management. In April 2022, the Town of Kiawah (TOKI) Planning Department launched this Comprehensive Marsh Management Plan (CMMP) as an effort to consolidate existing marsh-related needs and recommendations across the Kiawah entities to guide future marsh management on the island.

This planning effort was not conceived as a new undertaking to collect or analyze data. Instead, it is a work of synthesis: bringing together management perspectives and tools based in science, community, policy, and restoration as they have been suggested in previous studies and plans for Kiawah, and pertinent models from comparable island and marsh-front

communities. Accordingly, this document summarizes key messages and highest priority recommendations but does not repeat the full details of the technical rationale for each strategy. Instead, it refers out to previous planning efforts or Appendices as appropriate.

This document recommends collaboration among entities, clearly delegating responsibilities, refining regulations, and guided education efforts to manage Kiawah's marshes as a community. A few actions can be implemented quickly; however, most will require more than one organization or sector and require refinement in a collaborative forum.

The CMMP is envisioned to be a living document that should be revisited once every five years to assess the effectiveness of implemented recommendations, and adapt as needed for improved management.



Marsh Management Goals

A FRAMEWORK FOR MARSH PROTECTION



Detect changes in wetland vegetation species composition and structure within the salt marsh over time



Prevent or correct trajectories leading to impairments to the marsh by adopting marsh management regulation



Educate the public, property owners, and decision-makers about undesirable marsh changes



Manage vulnerable areas and mitigate against future issues and undesirable changes

Resilience *n.* The capacity of a system or community to recover from unexpected impacts.



Creating this Plan

The CMMP process was launched in April 2022 with a kick-off meeting of town staff, key stakeholders, and the consultant team to establish a collective understanding of habitat characteristics, recreational & homeowner access needs, town infrastructure & development plans, and impending impacts from sea-level rise. The team then toured the marshfront to speak to property owners and staff about concerns.

The consultants then reviewed previous work, undertook some original spatial analysis, and launched a series of 13 interviews or small group meetings with experts. The wider community was informed of the CMMP process, educated about marsh management challenges, consulted with during public meetings, and involved through surveys, direct interviews, and interactive online input opportunities, which included a survey and an interactive map where participants could label and identify areas of concern. During the summer of 2022, several engagement activities took place including the release of a project website, a town podcast, and an

online StoryMap. Community engagement culminated in a planning charette and community open house.

Community members, outside experts, and Kiawah staff and officials joined the consultant team on Thursday, July 21, for a planning workshop and community drop-in event that harnessed the talents and energies of many experts and stakeholders. Based on concepts introduced by the consultant team, which were informed by the prior input, participants refined the preliminary marsh management plan actions, recommendations, and educational strategies to directly inform the CMMP. The community drop-in event directly followed the charette during the afternoon, and allowed for the public to explore and provide feedback on preliminary marsh management concepts.

Project Website

<http://elkocoastal.com/kiawah-cmmp>



Connected by Water: Salt Marsh in the Low Country

The gradual shorelines of the lowcountry give rise to its long tides and broad swaths of salt marsh, the inundated coastal wetlands that rise along our protected shores. Dominated by smooth cordgrass (*Sporobolus alterniflorus*), these marshes today comprise over 4,500 acres on Kiawah Island. Their distribution, however, is not fixed; instead it is as dynamic as the shoreline itself. This is in part because marshes are the interface between land and sea, influenced by each. It is useful to understand the salt marsh through three lenses, each of which presents its own set of management opportunities.

CONNECTED TO THE SEA

Salt marshes are one of the most productive ecosystems in the world. They provide essential food, refuge, and nursery habitats for more than 75% of fisheries species, including shrimp, blue crabs and many finfish. Just as fish that use the marsh as nursery travel out to the open water, so the ocean's status affects our marshes. Sea level rise and storm surge are existential threats to marsh along a fixed, hardened shoreline where upslope migration is impossible.

AN EVER-CHANGING BOUNDARY

The edge of a salt marsh is its most prominent features to many. Tidal creeks meander, with deposits of silt and material on the insides of curves where water moves slowly, and marsh erosion on the outer edge of curves. Salt marshes provide important protection for shorelines from erosion by buffering wave action and trapping sediments.

SHARED WATERSHEDS

Finally, we also consider Kiawah's marsh as a recipient of water that flows from the uplands - not only on the island, but on the adjoining mainland. Salt marshes reduce flooding by slowing and absorbing rainwater and protect water quality by filtering runoff and metabolizing excess nutrients (NOAA-NOS, 2017). The watershed affecting the marsh crosses multiple jurisdictions, and land-use, water quality, and zoning ordinances from each of them affect the long term prospects of the salt marsh that rings the island.

"Spring in the Lowcountry sounds like a flock of Bobolinks slinging their discordant songs around the tidal marsh"

-J. Drew Lanham

Planning & Management Context

The primary goal of this planning effort is to bring together the multiple threads of marsh-related work that are underway or planned. Several recent or concurrent planning efforts have goals and strategies related to the marsh.

KIAWAH CONSERVANCY MARSH VULNERABILITY STUDY & NATURE-BASED ALTERNATIVES (IN PRESS)

Beginning in January 2020, KICA, College of Charleston and the Lowcountry Hazards Center started the Marsh Vulnerability Project to map historic change in marsh vegetation, highlight current geologic features, and catalogue human infrastructure. The vulnerability project is one of a series of Marsh and Groundwater studies, which provide a complete picture of the water below and around the island. Together these efforts will provide our island with a comprehensive understanding of Kiawah's coastal environment, how it changes over time, and what actions island leaders should take to preserve their special island community.

FLOOD MITIGATION AND SEA LEVEL RISE ADAPTATION (2018)

In the spring of 2017, the Town of Kiawah Island's Environmental Committee formed a subcommittee to proactively identify steps the community could take to address increased flooding frequency and adapt to future water level changes. One important finding for marshes is that the challenge facing our marshes is probably not from wave induced erosion, but rather from insufficient accreting sediment for vertical growth or from barriers

preventing inland migration. Thus, construction of new living shorelines may provide benefits only in limited locations along Kiawah. In other places, marsh will be unable to fill in behind them because of limited sediment.

2019 COMPREHENSIVE PLAN AMENDMENTS

The 2019 Amendments put forth an ambitious set of natural resource goals, including: "Formalize a marsh management plan that explores various methods of protection for the Island's marsh and manages the interface between highlands and critical area that is vital to a healthy salt marsh."

KIAWAH ISLAND COMMUNITY ASSOCIATION RESILIENCE PLAN

KICA and other island entities are collaborating to prepare for the long-term impacts of climate change, including the increased frequency of storms and rising sea levels. In 2020 KICA established the Adaptive Management Plan Task force, with the endorsement of the town, to seek member input in the initial development of a plan that will allow Kiawah to adapt with changing environmental conditions. This plan will utilize critical data collected from the Town of Kiawah Island's new tide gauge at the Kiawah River Bridge. The gauge records water levels that will be analyzed to understand any changes over time.

Management Concerns: Climate Change and Sea Level Rise

SEA LEVEL RISE

All future management of Kiawah's marshes must be understood in light of climate change. Even if greenhouse gas emissions were eliminated today, continued warming and sea level rise would occur due to the current accumulation of emissions.

The sea level around Charleston rose by 11 inches from 1950 to 2016 (Figure 1), about 1 inch every 2 years within the last ten year period analyzed (2006-2016). Figure 2 shows the range of SLR possible given the effort to decarbonize the global economy, with low/intermediate/high projections for 2100 at 1.2 ft/3.5 ft/8 ft, respectively. Climate change is also changing rainfall patterns to favor more intense storm events, with more precipitation coming quickly, and an increased frequency and intensity of hurricanes.

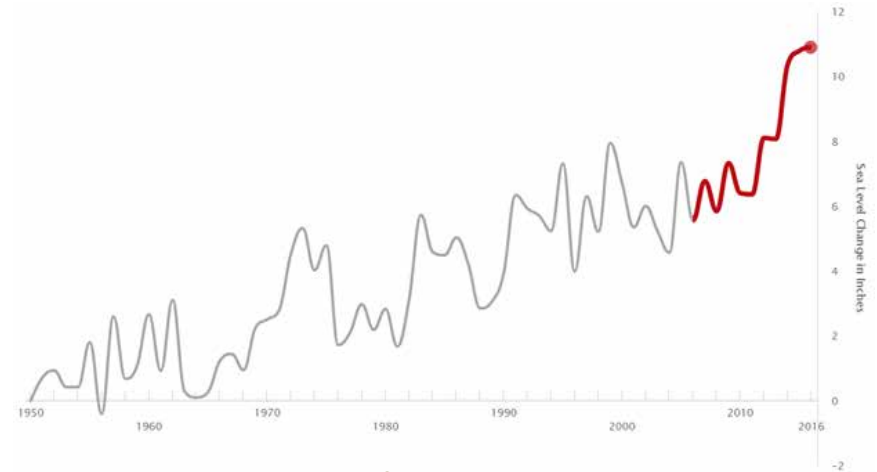


Figure 1 - Charleston SLR from 1950-2016

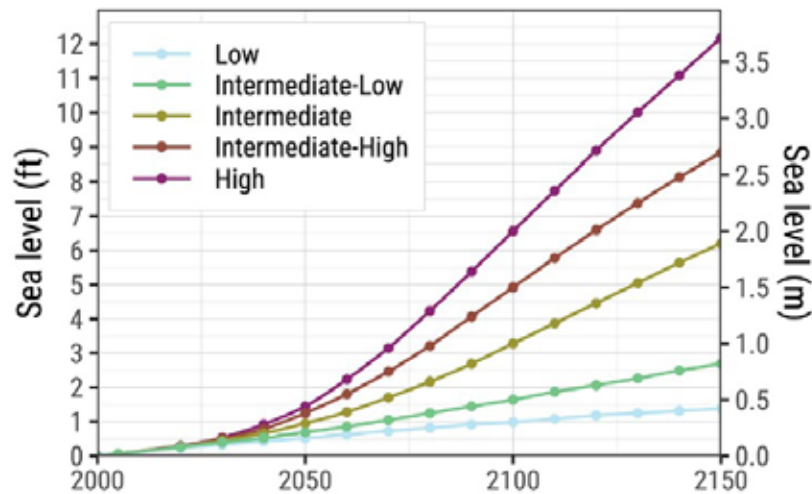


Figure 2 - Projected Charleston SLR from 2000-2150

Scenario	Year		
	2050	2100	2150
Low	0.5	1.0	1.4
Intermediate-Low	0.7	1.6	2.7
Intermediate	1.0	3.3	6.2
Intermediate-High	1.2	4.9	8.8
High	1.4	6.6	12.2

Units in feet relative to year 2000

Management Concerns: Public Input

Several high-profile concerns provided impetus for this planning effort, such as hotspots of shoreline erosion that are threatening infrastructure and the observed conversion of high marsh to open mud flats. For the purposes of this plan, we focused on two ways of understanding management concerns and threats to the salt marsh. The first was to seek community input on concerns and locations of management issues. The second was to synthesize the stressors that undermine ecological function from a data-driven perspective, whether or not they draw public attention, with analysis from primary literature, previous planning documents, and expert interviews.

Two years ago, the Kiawah Adaptive Management Committee conducted a survey, and 36% of the 1,643 respondents described themselves as “extremely concerned” about the salt marsh. Fifty-three respondents to the current CMMP community survey prioritized bank erosion and associated

property loss as their top concern, followed closely by the continued ability of the marsh to sustain fisheries, wildlife, and a diverse salt marsh ecosystem.

A formal threats analysis, with causal factors identified in chains is beyond the scope of this document, and some of the concerns overlap or exacerbate each other. They also vary by ultimate cause; some result from global trends beyond the control of local managers, and others are closely related to local land use decisions. In both cases, the management recommendations in this plan were selected and refined as direct responses to concerns expressed.

BANK EROSION

Tidal creeks and the marshes around them are dynamic systems that move continually, depositing material (accreting) on the insides of curves, and eroding banks on the outside. Though there are some areas where water management and stormwater appears to be contributing to erosion, most of the hotspots of erosion and conflict in Kiawah are exactly where a geomorphologist would expect them to be, on the outside of tidal creek meanders. This is good news for the present, indicating that the changing climate is not yet causing widespread erosion. However, it is a source of pain and expense to homeowners, and sea level rise will start to make the problem more widespread, so the “Restore” section of this document offers recommendations for bank stabilization.

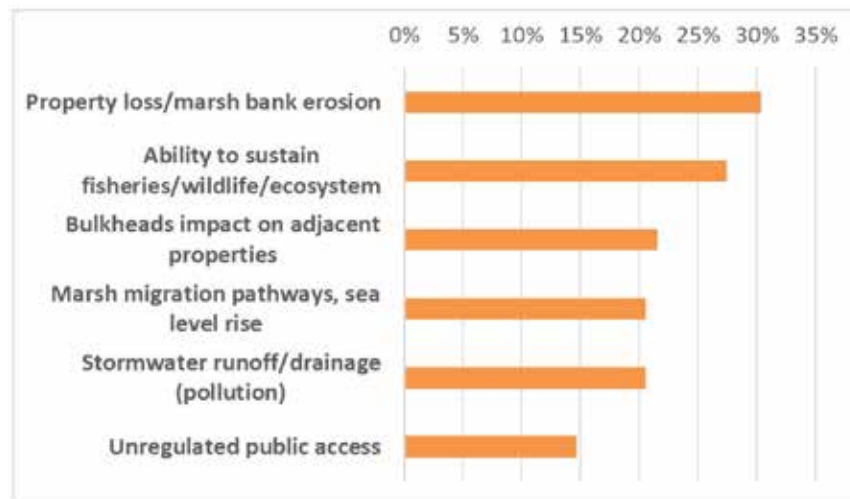


Figure 3- Prioritized marsh management concerns (n = 53).

Additional Management Concerns

TRADITIONAL BULKHEADS

Armoring structures such as bulkheads have traditionally been used for erosion control. Bulkheads are effective at “holding the line” along an eroding shoreline, often to the detriment of surrounding areas. However, bulkheads are not necessarily the best solution for flood management or for a green approach to marsh preservation. Because hard walls cannot absorb or dissipate wave energy, that energy rebounds and causes local turbulence. This can often kill vegetation, convert marsh to mud flats, or scour and deepen the nearshore. Neighbors who do not have bulkheads are particularly concerned about these issues, because their own erosion problems often become worse if bulkheads are constructed nearby.

HABITAT QUALITY

Habitat quality depends on many factors, the most important of which for Kiawah are water quality and vegetation, understood as the plant community composition, distribution, and vigor.

Water Quality

Marshes can be sensitive to the quantity and temperature of fresh water entering them, so runoff from streets and developed areas can compromise the marsh, though the nutrient loading of fertilizers is of less concern than it is in the uplands, since it is diluted by tidal fluctuations. Water management recommendations can preserve the current vigor of the marsh.

Vegetation

In many ways, the vigor of marsh vegetation is an emergent property that responds to the freshwater balance, inundation, and erosion. The unvegetated to vegetated ratio (UVVR) is an early sign that marsh vegetation is drowning and converting to mudflats or open water. Where there is space to do so, the marsh might also migrate upland. Over time, as the existing marshes become submerged and higher elevation land begins to be more frequently saturated from the tidal cycle, wetland vegetation will migrate to their more preferred saturation tolerance.

UNREGULATED PUBLIC ACCESS

Recreational users can trample vegetation, which results in local erosion that can become more severe during storm events.

Identified Areas of Concern



PUBLIC INPUT

Residents of Kiawah and other concerned stakeholders identified points of management concern in the marsh through an interactive online mapping

tool and during the workshop. The management recommendations in this plan were selected and refined as direct responses to concerns expressed.

Key Indicators: UVVR & Shoreline Change

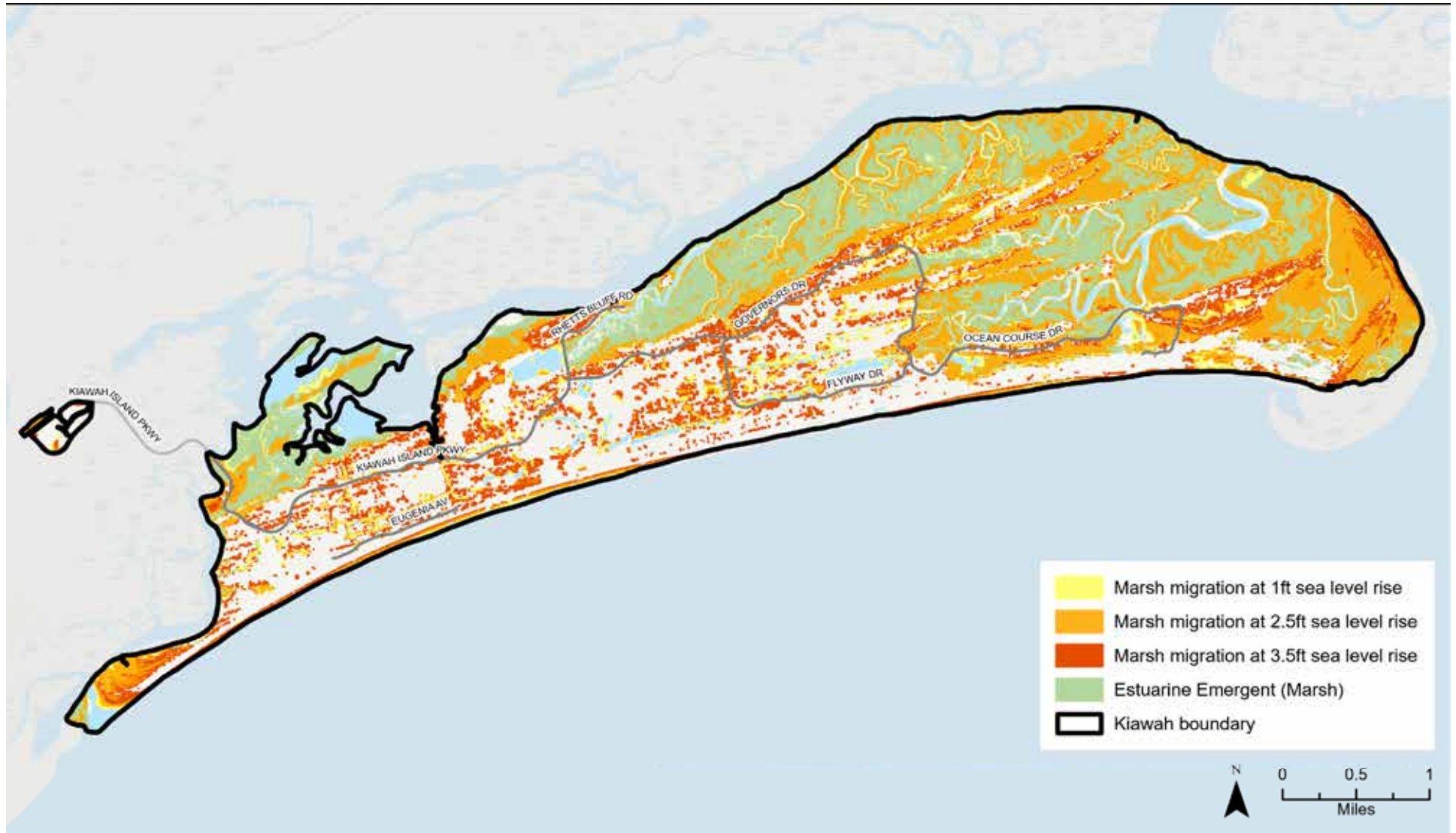


UVVR & SHORELINE EROSION

This figure shows two important indicators that are recommended elements of the monitoring plan, the unvegetated to vegetated ration (UVVR), and current patterns of erosion and accretion. UVVR can be informative about the current

trajectory of a marsh. A stable tidal marsh, with intact marsh plains and little deterioration tends to a UVVR of about 0.1. Higher values indicate degradation, usually a result of open water conversion. The other dataset on this figure shows eroding areas in red and newly formed land in yellow.

Status of the Marsh: Sea Level Rise



MARSH MIGRATION

This map shows the predicted future distribution of marsh. If the current salt marsh is unconstrained by development and able to migrate, the plants will move upslope to areas that are currently dry uplands as sea levels rise. The

orange indicates the future expanse of salt marsh under 2.5 feet of sea level rise. Tidal marshes are highly dynamic communities and have the capacity to adapt to SLR, by the accretion of sediments through tidal exchange. Water level is an indicator and recommended element of the monitoring plan.

Recommendations

The remainder of this document is about solutions: how to track the trajectory of the marsh; how to regulate the structures that control it; how to engage people in responsible stewardship; and how to restore systems and functions where they are broken. These include both synchronous and iterative activities that are interdependent.

Kiawah Island has a unique multi-entity governance, comprised of several independent organizations that support the community. Comprehensive protection and implementation of these recommendations will require better coordination and streamlining of the many entities that currently touch the marsh (see facing page).

Overarching: Organizational Framework

"I think about clapper rails applauding at the edge of a salt marsh stage"

-J. Drew Lanham

Overarching: Organizational Framework

MARSH OF Ks

Town of Kiawah Island

Incorporated in 1988, the Town is the municipal government of the Island.

- building permits
- code enforcement
- planning & zoning services
- promoting tourism
- beach management & protection
- wildlife management & protection
- community outreach



KICA

(Kiawah Island Community Association)

Incorporated in 1976, KICA is a non-profit corporation formed to maintain common facilities and serve as a vehicle for the administration and enforcement of covenants and restrictions.

- owns, maintains + improves common properties
- member education & outreach
- long-term planning
- landscaping of common properties
- maintains roads behind main gate



Kiawah Island Golf Resort

Kiawah Island Golf Resort is a world-class hotel and resort. The Resort caters to the guests that visit the Island.

- Night Heron Park & Kamp Kiawah (wildlife education/nature tours)
- Mingo Point (oyster roast and kayak launch), boat excursions and fishing charters
- Manages the five golf courses.



Kiawah Conservancy

The Kiawah Conservancy is a chartered non-profit, section 501(c)(3), grassroots organization. The Conservancy provides the vision, leadership, and resources necessary to preserve and enhance Kiawah Island's unique balance of nature and development.

- preservation and stewardship of critical wildlife habitats
- programs to encourage and assist landowners in the protection of the unique natural environment of Kiawah.
- an accredited member of the Land Trust Alliance
- education



Kiawah Partners

Since 1988, Kiawah Partners (KP) has been the master planner and community developer committed to using an environmentally sensitive Master Plan as a compass, preserving and protecting the natural beauty of the Island's 10,000 acres.

- residential community design, master planning
- development agreements and entitlements
- real estate brokerage operations
- private club design, construction, management
- architectural controls



Kiawah Island Architectural Review Board

The goal of the ARB is to help property owners harmonize the built world of architecture within its natural setting. Using a determined set of standards and guidelines for community areas and residences in accordance with the comprehensive Master Plan, the Board enforces standards applicable to all construction and landscaping.



Kiawah Island Real Estate

Kiawah Island Club

Overarching Recommendation: Organizational Framework

Kiawah Island Inter-Entity Executive Committee (KIIEEC)

In the past, umbrella topics that touch several of Kiawah entities' missions have been addressed through formation of cross-entity task forces. This approach recognizes that the entities have the expertise and networks to develop solutions that will serve all stakeholders. For effective marsh management, it is necessary to determine and coordinate marsh management and education responsibilities of each entity. Many of the following recommendations cannot be implemented by the Town alone. They will require the support of most, if not, all Kiawah entities. Therefore, an overarching recommendation is a framework for organizational collaboration between entities (e.g., Kiawah Island Inter-Entity Executive Committee (KIIEEC)). The KIIEEC should receive and share information about each implementation action undertaken.

KIIEEC should include each of the actors in the Marsh of Ks in roles of responsibility that agree with their purview. Additional members could include others in advisory roles: peer communities, funding agencies, consultants, contractors, SCOR, SC Sea Grant, SC DHEC or other state agencies, NOAA, FEMA and other federal actors, and Clemson Extension and educational or academic partners.

KIIEEC should coordinate marsh management decisions for consistency in education/messaging and determining pathways forward for monitoring and adaptive management. Each entity should formally join the KIIEEC through a resolution or similar action to formalize the committee. Members should commit to incorporating the appropriate steps in marsh management into their own governance and documents as well as seek opportunities to weave these recommendations into their internal plans. As a body, KIIEEC should consider each of this plan's recommendations and develop implementation plans by 2024.

The governance structure of KIIEEC needs to be formalized by the entities themselves. Although the group should engage in open conversation to express concerns, build agreement, and get buy-in, it needs a clear statement of a decision-making protocol that does not rely solely on consensus.

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Recommendation I: Monitor

Marshes degrade in ways that may not be readily visible, so understanding the current status and likely trajectory of Kiawah’s marsh requires documenting the key indicators of its health. Although a complete monitoring protocol with procedures, timelines, locations and responsible parties is beyond the scope of a Marsh Management Plan, creating and implementing such a monitoring effort is necessary to advance the science-based management recommendations to maintain the important benefits of Kiawah’s marsh. Such monitoring is also requisite for the process of adaptive management, in which management strategies and techniques are altered in light of data collection that records the success and opportunities for improvement for any management actions that are taken.

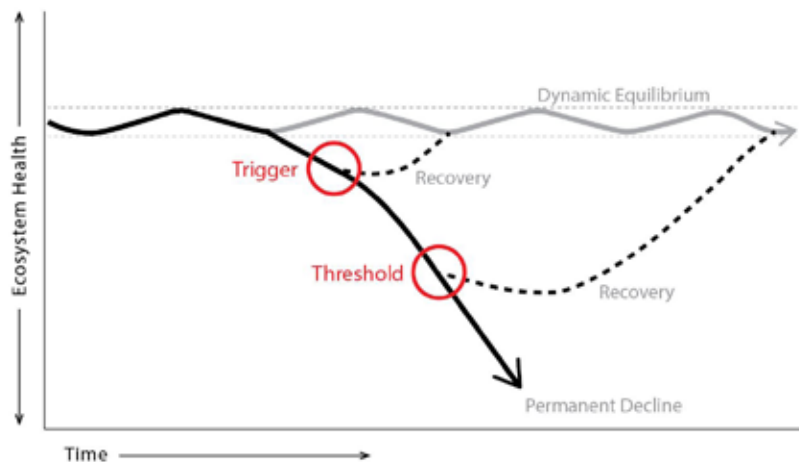
The recommended monitoring framework for Kiawah’s marshes is based on the common vocabulary and approach developed by the Kiawah Island Flood Mitigation and Sea Level Rise Subcommittee. It tracks the state of the art in ecosystem management based on thresholds.

Ecologists have long recognized that disrupted ecosystems do not respond to stress in a steady, predictable way. Instead, the interwoven systems of soils, water, plants, invertebrates and animals can reach sudden turning points and crash unexpectedly. Such “thresholds” are the point at which small changes can cause rapid degradation and shift the system to a different state (Figure 4).

Recent years have seen concerted efforts to identify indicators that a system is on a path towards such thresholds and allow managers to intervene in a timely way. KICA, in collaboration with experts and under the leadership of Lucas Hernandez, developed preliminary trigger indicators for Kiawah’s marshes, including values for UVVR and changes in location and composition of vegetation. If appropriate actions are taken at these trigger points, the severe consequences of reaching marsh health thresholds can be avoided.

Figure 5- Adaptive management is a cyclical process.

Figure 4- Observed decline triggers action for recovery.





MONITORING FRAMEWORK

More than one current management document for Kiawah lays out elements of a marsh monitoring framework, including the 2019 Comprehensive Plan Amendments and the findings of a task force assembled by the Kiawah Conservancy to consider marshes. A comprehensive monitoring program should include both field-based and remote data collection.

The environmental committee of the Town Wildlife Department planned to undertake aerial orthography of the island every three years to monitor changes in the salt marsh (NR element 2.c). The Kiawah Conservancy recommends establishing long-term field sites for marsh vegetation monitoring quadrats from open water to highlands to record visual evidence if communities of high marsh *Borrchia frutescens* and *Spartina patens* become sparse and slowly transition to communities of *Sporobolus alterniflorus* and *Salicornia spp.* Monitoring in these quadrats and at additional locations could also include invertebrate abundance and density, water quality, oyster reef abundance and survival, land cover, and recreational fisheries. Unpublished outcomes of the KICA Adaptive Management Plan also informed this recommendation.

PARTNERS

TOKI, as the lead actor in marsh monitoring, should partner with the Conservancy to implement a regular, comparable monitoring protocol and partner with KICA to assist with the human resilience elements. Additionally, ARB should assist with an inventory of marshfront structures, including shoreline protection devices.

IMPLEMENTATION

Establish a five-year monitoring program to quantify the duration and frequency of marsh health thresholds and identify Trigger Points to alert the island if it is approaching a threshold. Response Plans for thresholds should be developed before the triggers are reached. Recommendations of this plan should be implemented in advance to preserve marsh health and reduce risk of hitting the triggers. Monitoring should include both educational citizen science, and internal technical mapping, elements. Based on the state of the science at the time of report publication, the following triggers are recommended. Prior to each five-year update, a panel of marsh science experts should convene to adaptively modify the triggers based on state-of-the-art knowledge.

Trigger: Unvegetated-vegetated ratio (UVVR) greater than 0.05.

Threshold: Decreased productivity/community distribution

Trigger: 5 feet of critical line movement into upland/marshfront (1 ft/yr).

Threshold: Erosion of private property/infrastructure

Trigger: 30% increase in tidal flood days (water levels at Kiawah River Bridge and Ocean Park tide gauges > 7.0 ft MHHW).

Threshold: Increased tidal flood days

Response plans are suggested in the following sections (e.g., Protect: Shoreline stabilization options to address marshfront erosion.)



II: Protect

A consistent management approach to Kiawah's marsh will depend on a regulatory framework that governs the actions that organizations or individuals are allowed to take in the marsh. SC DHEC will be engaged

in this effort because they have jurisdiction from the critical line to open water (figure 8). This section describes six policy or regulatory actions to protect Kiawah's marsh.

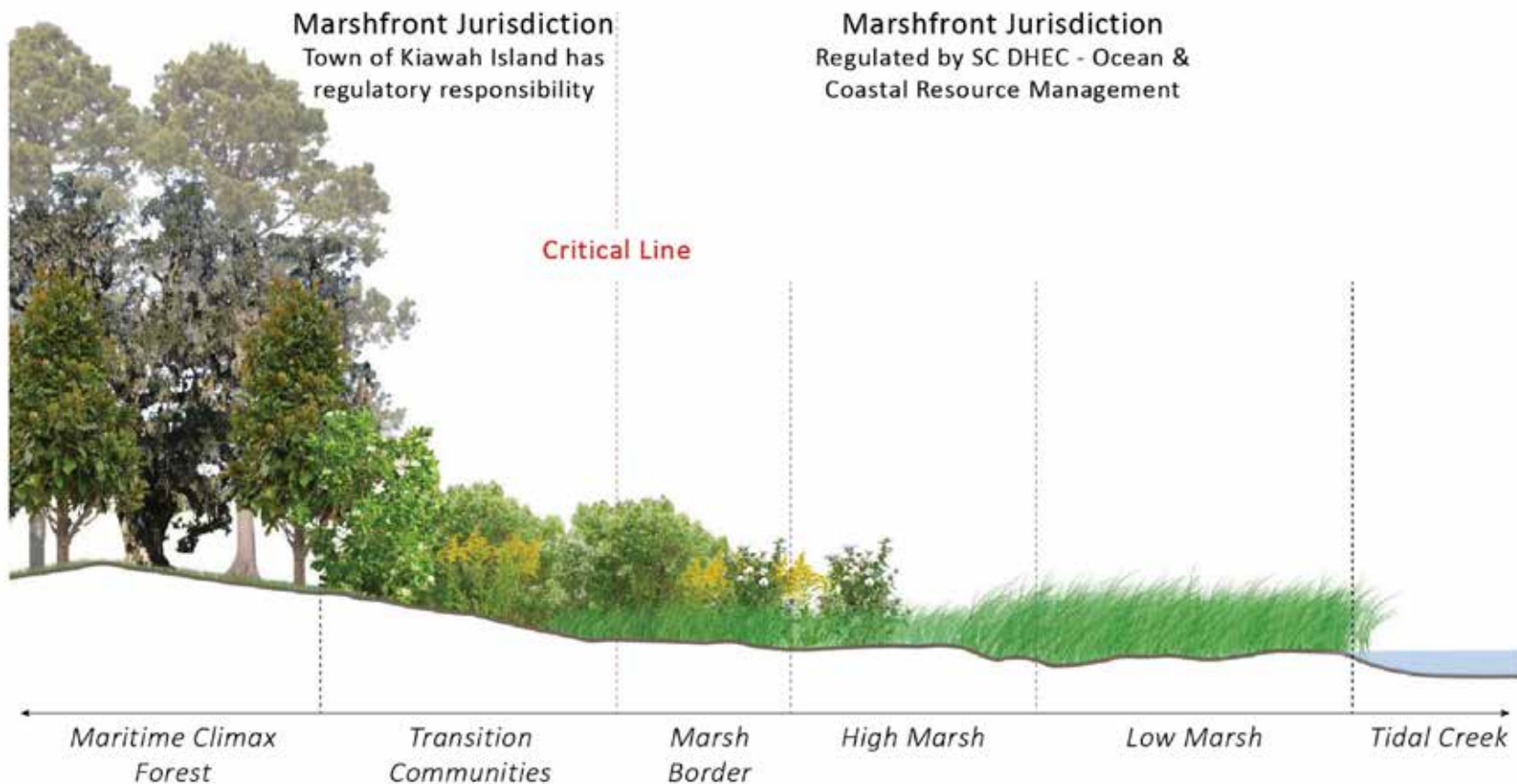


Figure 8- The "Critical Line" is a biophysical jurisdictional feature that will shift with the edge of the marsh as it migrates due to sea level rise



CODE

Recommendation: Consolidate Town Code's existing marsh-related elements.

Justification: Currently, there are several different locations for marsh-related regulation, including Sec. 12-76 Waterfront development standards; Sec. 12-104 Accessory uses, buildings/structures; and Sec. 12-127 Compatibility buffering standards. Users must cross reference to identify pertinent regulation.

Implementation: Existing regulations and carefully drafted future ordinances adopted by the town should populate this section. This will help make the code easier to navigate when searching for ordinances that relate to marsh management.

The ultimate destination of stormwater on Kiawah Island is the marsh. KICA is the entity responsible for the island's stormwater drainage system. In the spring of 2020, members approved a special assessment to fund six infrastructure improvement projects that represent a foundational step in Kiawah's water management planning. The infrastructure improvements are expected to be complete by the end of 2022.

PERMIT

Recommendation: Streamline natural solutions permitting at local, state, federal levels to maintain balance between development and a healthy marsh.

Justification: Recent progress in the permitting of living shoreline by DHEC OCRM and work by the Living Shorelines Working Group has made standard design options for living shorelines far easier to permit than they were even three years ago. Nevertheless, the regulatory structures can still be difficult to navigate for individual landowners and their engineering consultants.

At the local level, few options exist for private property solutions particularly along areas that are not subject to tidally induced erosion (i.e., do not qualify for an OCRM critical permit). Options are needed that meet owners' flood mitigation needs while preserving marsh function.

Implementation: KIEEC creates a work group of engineers, contractors, staff, and other stakeholders to develop appropriate, constructible, and aesthetic green flood control and marshfront shoreline management options. TOKI pilots innovative design and leads permitting for local solutions, opening a pathway for neighboring landowners.

Partnerships: KIEEC, ARB



STORMWATER MANAGEMENT

Recommendation: Strictly limit impermeable surfaces, formalize stormwater BMPs for private properties.

Justification: Current stormwater regulations simply direct designers to convey water to the critical line or other outfall point, without consideration of its potential effects on the marsh. Low Impact Development (LID) is an integrated, comprehensive approach to land development or redevelopment that works with nature to manage stormwater as close to its source as possible. LID practices can protect local water quality and reduce urban flooding through best practices in stormwater management. Widespread implementation will also reduce pollution of the marsh by filtering and nutrient retention.

The Conservancy's green infrastructure practices and standards from the LID manual for coastal South Carolina (Ellis et al 2014) include implementing practices at the site scale to reduce runoff volumes, modifying practices to prevent bypass during intense storm events, periodically revisiting design storms and mapped flood plains, using adaptable plants in place of native species, and using stormwater as a water source for irrigation.

Implementation: TOKI and ARB develop complementary regulations for private properties. KIIIEEC works with KICA to implement to the extent possible in public works. KIIIEEC draws from the Conservancy's Green Infrastructure and Low Impact Development Practices manual.

Partnerships: ARB, Conservancy, KICA, KIIIEEC

BULKHEADS + MARSHFRONT BERMS

Recommendation: Regulate bulkheads and other flood/erosion control structures upland of critical line.

Justification: Article 17 TOKI's municipal code allows TOKI to review bank retention designs and submit comments and recommendations, but provides little authority to guide decision-making.

Implementation: Codify ARB standards with a Town ordinance requiring that bulkheads beyond the critical line may only be constructed with prior-OCRM approval, must be constructed flush with adjacent grade/elevation, and any disturbed land must be backfilled and planted with appropriate vegetation. All erosion control or flood mitigation construction regardless of location relative to the critical line requires a Town permit with proof of location and a depiction of the certified critical line. Bulkheads on high ground are not recommended; rather, options for shoreline restoration (like terracing) are included in Section X.

Partnerships: ARB, KIIIEEC

Ordinance precedence (City of Folly Beach § 151.23) regulates berms, bulkheads, riprap, seawalls, revetments and retaining walls (See Appendix X). No portion shall be placed beyond the critical line without approval of OCRM. All structures placed wholly or partly within the setback from the critical line must be maintained in an intact usable condition or removal may be sought at the owners expense. New or substantially improved methods cannot be combined in a manner that would compound flooding, significantly impair drainage, or cause adjacent shoreline impacts.



Setbacks/Buffers

Controlling stormwater with vegetative buffers is one of the most effective ways to protect salt marsh habitat (see Appendix 6.2).

According to Morganello and Rose (2013), vegetative buffers provide the following benefits:

- 1. Reduce pollution in stormwater runoff,*
- 2. Reduce shoreline erosion and property damage caused by flooding,*
- 3. Provide increased privacy to the homeowner while still maintaining a view corridor,*
- 4. Serve as wildlife habitat, and*
- 5. Save the homeowner money, especially when native plant species are dominant, as little to no water, fertilizers or pesticides are needed to maintain this area of the yard.*

There are many types of vegetative buffers depending on the intent, location, and desired appearance and function. For example, the level of manicuring by property owners determines the differences between

undisturbed, natural, and landscaped buffers. Natural buffers involve the removal of invasive species and planting of native vegetation.

Other South Carolina communities with residential critical line buffers or setbacks include but are not limited to Beaufort County (50' buffer), Charleston County (35' setback + minimum 15' buffer that prohibits lawns and impermeable surfaces), James Island (35' setback + 15' buffer), City of Charleston (35' setback), and the Town of Mount Pleasant (35' setback + 25' buffer). A detailed listing of other S.C. local governments' marshfront regulations on bulkheads, setbacks, and buffers has been provided to TOKI staff.

Note that the ARB regulates within their purview of aesthetics. TOKI needs to adopt ordinances to complement this with marsh preservation in mind. This applies specifically to setbacks and bulkheads.



SETBACKS

Recommendation: Standardize and codify ARB's marsh setback rule and codify the buffer requirement. For new development, the marsh setback is recommended to be 30 feet from the property line or the OCRM critical line, using whichever is most restrictive.

Justification: Early real estate transactions, which included smaller lots with no marsh "ownership," were conveyed marshward to a set property line. More recent transactions, with larger lots that include marsh, have been conveyed out to MHW. To standardize regulations, the setback should be measured from the property line or the OCRM critical line, using whichever is most restrictive.

Implementation: This recommendation is consistent with the ARB's Designing with Nature Guidelines and with TOKI Ordinance 2013-1, which added Article 12, Section 12A-216(G.), Reductions to OCRM Critical Line Setbacks. At least the first 10 feet (closest to marsh) is established as a natural buffer, to be maintained only with native vegetation. Appendix 6.2 provides educational materials about the types of native vegetation that are recommended, as well as best management practices. Property owners can also learn more about creating healthy, watershed-friendly landscapes through the Carolina Yards program (<https://www.clemson.edu/extension/carolinayards/>)

The new ordinance exempts existing structures, which can be renovated at the previous setback. If existing structures are closer than 30 feet from marsh, they are exempted but redevelopment may not encroach any closer to the property line or the OCRM critical line, using whichever is most restrictive: (i.e., reoccupy existing footprint, no additional encroachment toward marsh). If 10 feet exists between critical line, a native buffer should be enforced. Within the setback, pervious surfaces are prohibited (to reduce the disturbance of the area) as well as impervious surfaces. The only construction allowed in the setback are boardwalks, fences, piers, and flood/erosion control structures as defined by previous recommendation.

- Partnerships: ARB, KIIIEEC

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III: Engage

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Engagement is the means by which residents and decision-makers become informed, active, and strategic stewards of Kiawah's salt marsh. This section outlines recommended content, audience and techniques for education about the salt marsh.

Engagement is also a key step in increasing regulation and oversight of marsh resources. As a partner activity for the other goals, at first engagement should focus solely on education and marsh literacy, and evolve into a more concerted effort to achieve marsh management outcomes. Early efforts should utilize town and other entities' (particularly KICA and the Conservancy) websites as well as social media. The education campaign for Kiawah bobcats could serve as a useful model.

What is Marsh Literacy?

Just as we expect citizens to have a basic understanding of the functioning and structure of government, and its most important safeguards, we want a community that understands basic information about Kiawah's marsh. This includes what it is (it's not a swamp! It doesn't have alligators!) and how we understand its health and trajectory through the key thresholds as described in Monitor. It also means understanding the effects of management actions, such as hardened shorelines or unfiltered stormwater runoff. The Kiawah Conservancy's catalog of shoreline management practices and Clemson's stormwater guides summarize much of this information and are great resources to share.

CITIZEN SCIENCE

Recommendation: Develop citizen science program for marsh conditions.

In conjunction with the monitoring plan, create an interactive "Show us your marsh!" form that is submitted to TOKI with photos and a description of the marsh indicator observed. As used in regional sea level and king tide trackers, a time stamp can link weather conditions, tide stage, etc.

Justification: Encouraging engagement with the marsh and documenting use can move people into the ladder of engagement (figure X).



Figure X - Ladder of Engagement



OUTREACH

Recommendation: Hire local organization to undertake a concerted outreach campaign, based on materials from the Conservancy and this CMMP process.

Justification: Background information and understanding is needed to explain why new policies/ordinances are being considered and their role in marsh management.

Implementation: Marsh education materials should be included in regular events, for example, they could feature in a quarterly series at council meetings and/or Our World presentations. In a less formal setting, options could include an annual marsh management month and/or periodic happy hour updates. Work with the Resort to develop public education materials, co-host events (e.g., marsh sweep), and hold staff (e.g., boat captains) education sessions.

Explain the rationale behind the CMMP recommendations and new regulations.

Partnerships: In this case, partners are both educators and educatees (the ones being educated) and include KICA; Conservancy; ARB, Resort; Realtors (convey pertinent information to new buyers); Rental management companies and property owners of STRs; BZA; Other Partners.



IV: Restore

RESTORATION OVERVIEW

In addition to monitoring, regulation, and education, active and restorative management of the marsh is a key component of a comprehensive approach. From the marsh's point of view, the best option for marsh management is often conservation of the land through acquisition, so the first recommendations focus on financing and acquisition for conservation. The next section summarizes some of the approaches that have been used on Kiawah and others that might be considered in the long term. It draws heavily on the Conservancy's work on nature-based solutions marsh management, adding a few restoration and management techniques that could be considered depending on site conditions. Where property owners are concerned about erosion and loss, active management can stabilize the shoreline with methods that vary widely in their impacts to the habitat value and long term resilience of the marsh. Finally, this section closes with recommendations for pilot marsh restoration and shoreline stabilization efforts.



FUND

Recommendation: Annually monitor and update funding opportunities for marsh restoration.

Funding may come from a variety of sources as opportunities arise, including:

- The National Oceanic and Atmospheric Administration (NOAA) which regularly funds projects that increase coastal resilience to the effects of sea level rise;
- The National Fish and Wildlife Foundation (NFWF) which has ongoing programs to fund approaches to habitat preservation and restoration;
- And the recently formed South Carolina Office of Resilience (SCOR) which sometimes offers to provide the matching funds needed to secure external funding.
- Special consideration should be given to the formation of a TOKI Marsh Mitigation Fund, drawing on new sources of funding emerging from regulations and policy as laid out in this plan. A marsh mitigation fund could be an ongoing source of match funding when required by federal, state, or private grant entities.

ACQUIRE

Recommendation: Acquire additional parcels of marsh and marshfront property.

Justification: As an accredited land trust and qualified conservation organization, the Conservancy serves as the lead actor to protect marsh and marshfront lands.

Implementation: Support ongoing land acquisition and conservation easement efforts of the Conservancy. Consider upstream land acquisition in the watershed outside of municipal boundaries. Preserve lots in undeveloped areas or low-density developments.

Partnerships: Conservancy

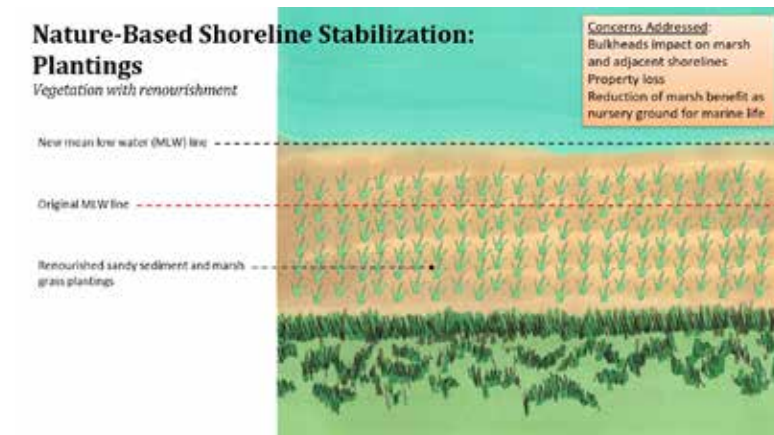


RESTORATION TECHNIQUES

Recommended restoration methods include

- the development of living shorelines, particularly along edges of the marsh facing tidal creeks as opposed to open ocean,
- the stabilization of eroding banks by use of structural elements such as envirolok,
- revegetation with native marsh plants,
- construction of oyster reefs to provide habitat but also attenuate storm surge, and
- the use of stormwater BMPs to slow and filter runoff from impervious surfaces to curb flooding and decrease in water quality.

Ecological restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Informed by monitoring and supported by policy and regulations recommended in this plan, restoration activities can help to mitigate the impacts of existing and future development and the pressures of sea level rise on Kiawah's marshes. By investing attention and resources into the restoration of marsh functionality, a healthy trajectory can be achieved. Management strategies to enhance tidal marsh persistence include restoration of riverine sediment supply, thin-layer sediment placement, drainage enhancement, shoreline protection, and invasive species management (Day et al 2007, Blum and Roberts 2009, Wigand et al 2017, Thorne et al 2018).



Kiawah Conservancy has developed a collaborative report on nature-based solutions, such as marsh restoration, oyster reef restoration, permeable surfaces, and rain gardens, to help reinforce and augment natural infrastructure. The document provides a suite of previously vetted nature-based solutions for Kiawah Island following engagement with key organizational stakeholders.



RESTORATION TECHNIQUES: LIVING SHORELINES



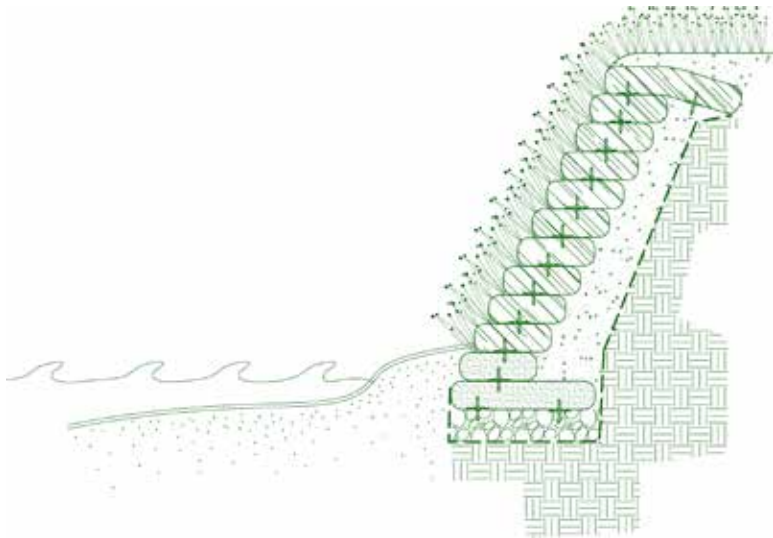
Living shorelines are a method of shoreline stabilization using plants and natural materials to reduce erosion and slow the wave energy associated with storms. Rather than creating a barrier between the shore and water, as with conventional bulkheads and seawalls, a living shoreline allows for a natural transition. The shoreline can thus provide erosion protection while still performing valuable ecosystem services and maintaining aesthetic character that makes Kiawah unique and desirable place to live and visit.



RESTORATION TECHNIQUES: ENVIROLOK

Envirolok is a geobag system designed to stabilize shorelines.

Because it doesn't have an offshore wavebreak component, it cannot diffuse wave energy, but it is designed to recruit vegetation that will continue to stabilize shorelines over time. It is effective with sufficient sunlight.

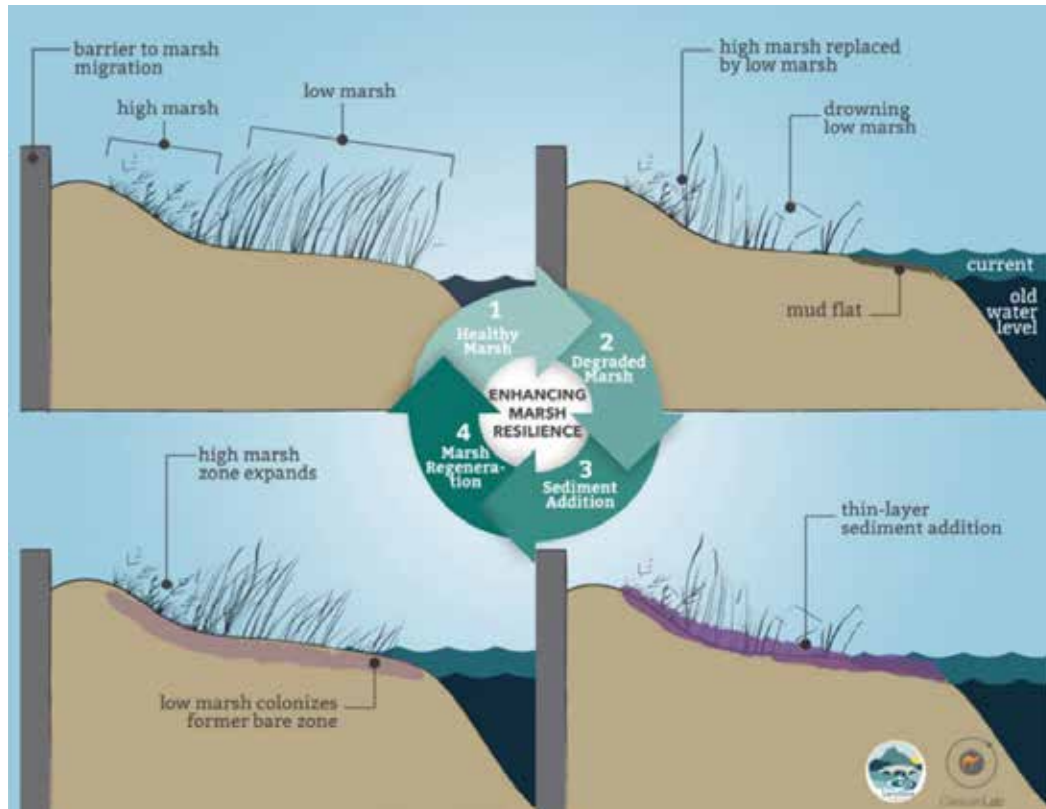


Credit: Envirolok





RESTORATION TECHNIQUES: THIN LAYER PLACEMENT



Credit: National Estuarine Research Reserve Association (NERRA)

Thin layer placement (TLP) of reused dredge material is a novel technique that is gaining favor for coastal restoration and resiliency applications in other regions. TLP involves pumping wet dredge material from a floating vessel onto the targeted area over existing wetlands to evenly cover with a thin layer (6" or less) of material. The depth of material is such that the covered vegetation can grow through and adapt to the new elevation over a couple growing seasons.



Credit: U.S. Army Corps of Engineers

Concerns Addressed

- Marsh health
- Reduction of marsh benefit as nursery ground for marine life
- Loss of protection offered by marsh

Projects have been completed using this technique along the East Coast but are reliant on the preferences of permitting offices whether it will be permissible. Precedent projects exist for the use of TLP for marsh resiliency along the east coast, but few are located in South Carolina. A 2-hectare TLP project within Jekyll Creek outside Savannah, Georgia was completed in 2019.



RESTORATION TECHNIQUES: PRESCRIBED BURNING

Marshes throughout the world have been managed through the strategic use of fire and burning practices for thousands of years. Large-scale prescribed burning has been used as an experimental method of marsh restoration in the US Gulf states with promising results that point to its use in the management of invasive species, addition of needed nutrients to marsh soils, and there are even some study results that indicate burning as a method for promoting accretion of organic and inorganic materials in marshes that could keep pace with sea level rise as predicted in some coastal areas.

Prescribed burning as a tool for ecological restoration on all types of land cover has been well documented and is strictly permitted, with protocol in place to minimize risk and ensure a successful burn. While public perception of the use of fire may require education to placate concerns, the results are likely to be worth the effort. Potential partners include The Nature Conservancy and the South Carolina Department of Natural Resources.

For more information, see *USGS Open-File Report 2012-1031 "Effects of Prescribed Burning on Marsh Elevation Change and the Risk of Wetland Loss"*
U.S. Geological Survey, Reston, Virginia 2012



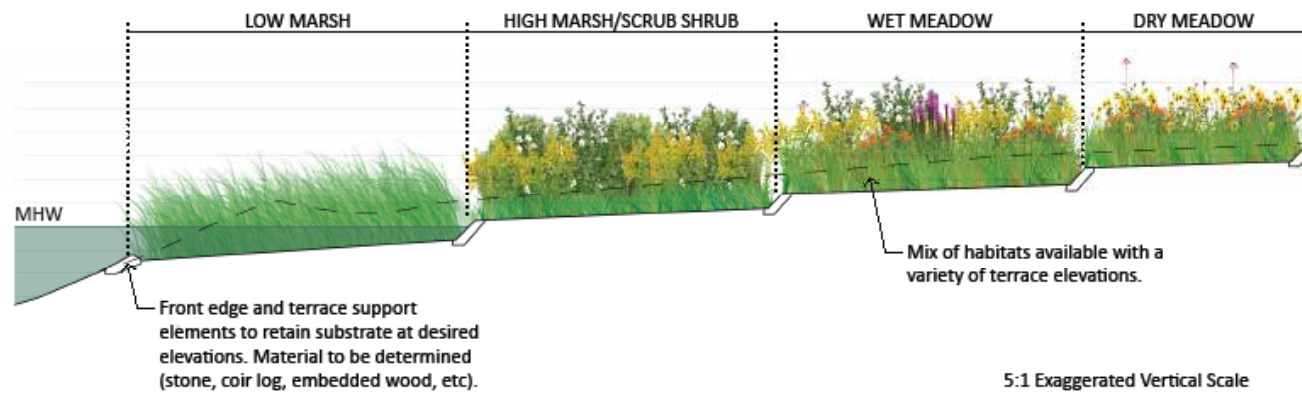
N.C. Forest Service crews monitor a marsh burn on Mar. 30, 2021.
Credit: Nicolas Xique



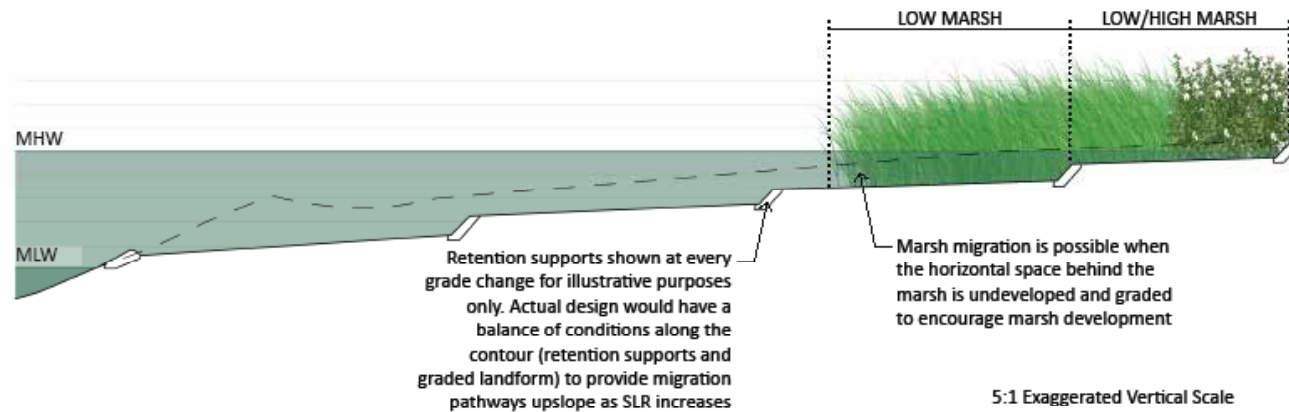
RESTORATION TECHNIQUES: RESILIENCY TERRACING

Where space permits, an option to counter loss of shoreline protection is terracing, which can allow for a limited amount of marsh migration

and vegetative & habitat diversity. **The diagrams below** show a barrier (retention feature) at every elevational change,



Proposed Resiliency Terrace Section (Current Water-level Scenario)



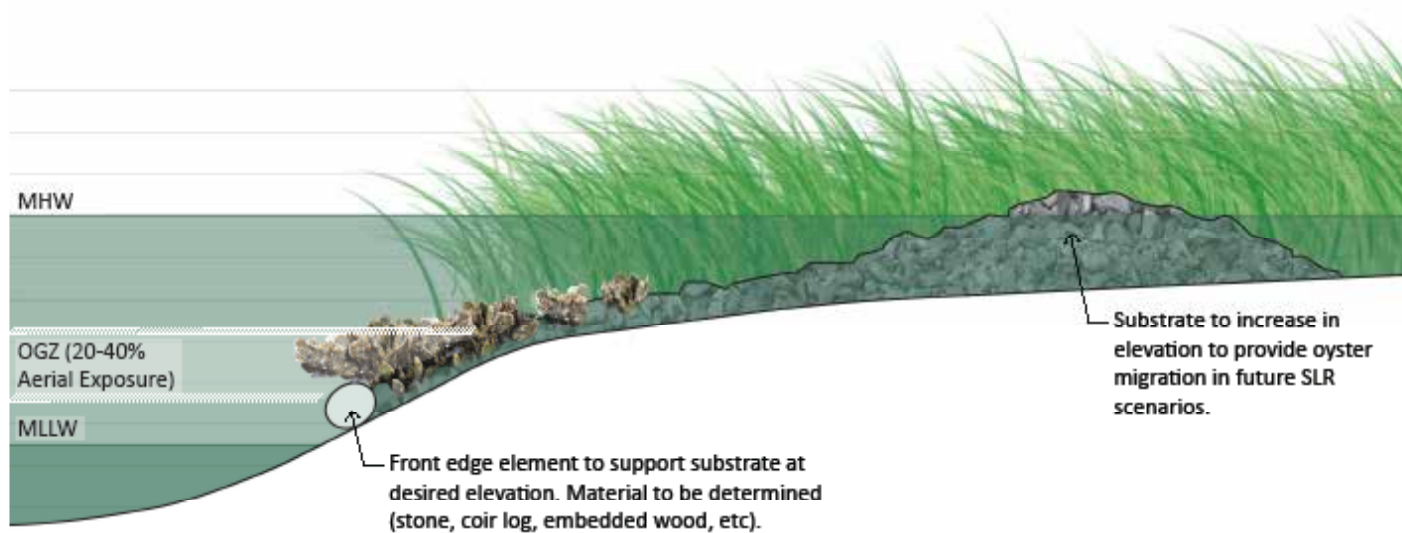
Proposed Resiliency Terrace Section (+3 SLR Water-level Scenario)



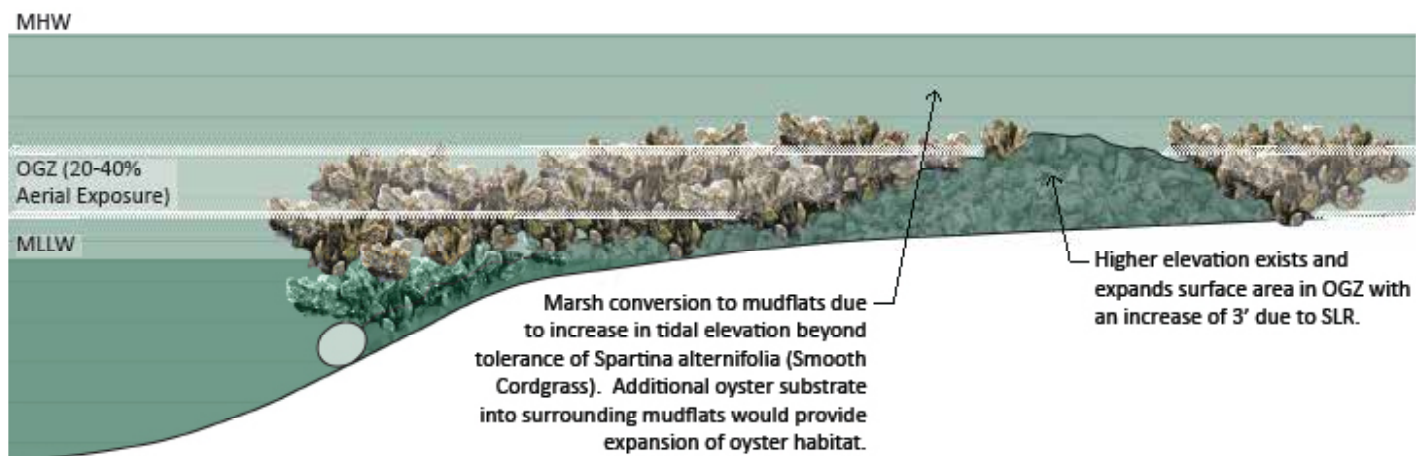
RESTORATION TECHNIQUES: OYSTER REESTABLISHMENT

Oysters exist only within the tidal zone, and are considered ecological engineers because their presence alters the surrounding environment to the benefit of many types of flora and fauna. They are filter feeders and benefit water quality by removing sediments, nutrients and contaminants from the water, in addition to plankton, which is their main food source. The subsequent water quality benefits and wave attenuation impacts from their reef formations provide favorable conditions for the growth of submerged aquatic vegetation (SAV).

Oysters are mobile as spat (baby oysters) but once they set onto a surface they become sedentary. Oyster shell, both living and non-living, provides the ideal condition for setting of spat and overtime can form a large community of oysters, referred to as oyster reefs. Oyster reefs are a complex matrix of shell and small unoccupied space (interstitial space) that provides habitat and refugia for a wide range of species, both juvenile and mature; SAV also provides similar habitat benefits and are supported by the presence of the oyster reef, as noted above.



Proposed Oyster Establishment Section (Current Water-level Scenario)



Proposed Oyster Establishment Section (+3 SLR Water-level Scenario)



Figure 7 - Living Shoreline. Credit: Biohabitats, Inc.

RECOMMENDATION: PILOT

Recommendation: Prioritize voluntary, multi-property-scale, comprehensive demonstration/pilot living shoreline project (near-term)

Justification: Given the risks posed to private landowners on Kiawah by the various impacts of sea level rise, and the challenge of widespread adoption of solutions by owners, it makes sense to enroll properties in a pilot program to both test and demonstrate the value of a living shoreline project.

Implementation: Property owners may volunteer to participate in a living shoreline project that weaves together the constructed and natural systems of the marsh. Uniting adjacent properties under a single permitted structure would allow for greater impact and is essential to the success of the project. A public-facing restoration project, like this pilot living shoreline project on private property, has a potential impact through visibility and accessibility, as well as impact for habitat and marsh health.

Partnerships: TOKI, Conservancy, Resort, Developer, and private landowners



Above: A group of marsh-front property owners as pictured in this aerial photo of a residential area in Beaufort illustrates a similar condition to that found on Kiawah Island. While homeowners enjoy their privacy and individual ownership, the marsh itself is a feature that connects all adjacent properties,

both in its benefits and its growing challenges. This management plan recommends the coordination of a large-scale marsh restoration project that invites buy-in from multiple consecutive landowners in order to achieve a maximum effect.



RECOMMENDATION: RESTORE

Recommendation: Assess feasibility and conceptual design of a large-scale community-administered shoreline stabilization project (2-3 years)

Justification: Areas of Kiawah Island have been losing ground to erosion, which will only worsen with sea level rise. A large-scale public shoreline stabilization project with marsh elements could bolster the erosion-mitigating potential of the marsh.

Implementation: Beachwalker Park lost between 70 and 100 feet of land as a result of Hurricane Matthew in 2016, and continues to lose ground through tidal and flooding-related erosion along the Kiawah River. TOKI's emergency beach access road is compromised and may soon be impassible. This location is a public site with interest from multiple stakeholders with buy-in, will, and capacity to complete the restoration, who can offer access the site for restoration activities.

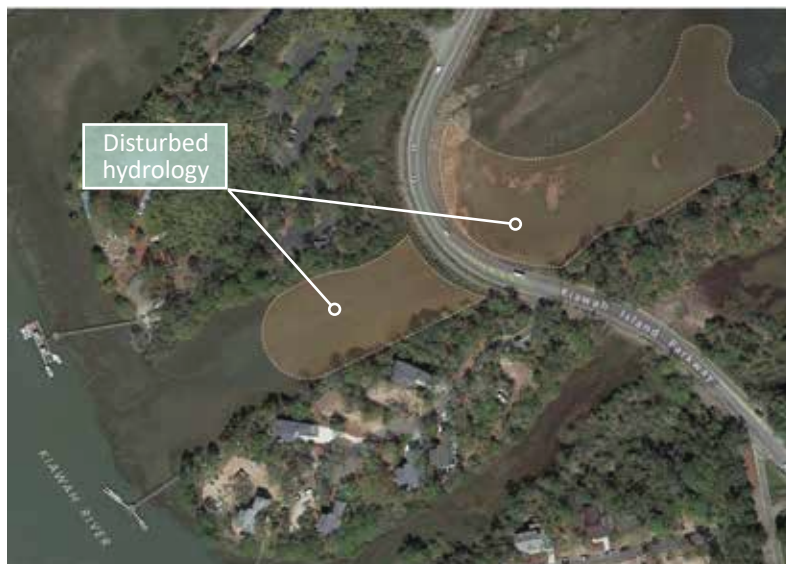
Partnerships: Charleston County Park and Recreation Commission, Developer



Figure 8 - Erosion along the Kiawah River near Beachwalker Park.
Credit: Biohabitats, Inc.



Left: The causeway entrance to Kiawah Island is experiencing significant degradation due to erosion caused by trampling. Over time, and coupled with SLR, the parkway infrastructure could be compromised by a sharp decline in marsh health, accelerating erosion. Management techniques could include the thoughtful design of public access (e.g. boardwalk or fenced path), paired with the use of previously detailed restoration techniques, such as revegetation and living shoreline.



Left: Mingo Point was identified as a hot spot of concern due to erosion occurring along the bank of the Kiawah River. While erosion on the outside bank of a stream is natural, in this location it could eventually undercut the road and parking infrastructure, as it has at Beachwalker Park. As seen on previous pages, there are a suite of management techniques that could be used here, including Envirolok and other nature-based bank stabilization designs.

Below: Beachwalker Park presents an extreme case of bank erosion and loss of marsh. Because the steepness of the bank and presence of parking lot limits the marsh from migrating eastward as the river naturally shifts, the marsh is disappearing in this location. Recommended treatment here includes removing part of the parking lot to re-grade the bank and use Envirolok and similar bank stabilization.



Next Steps

It is important to capitalize on the momentum and discussion from this planning process as soon as possible. As described above, creating a forum for discussion and agreement (KIIEEC) is an immediate need. Within that framework, the next steps should include rigorous focus on actionable

steps for marsh protection. The following recommendations have active partnerships or a foundation that raises them to the fore of immediate consideration.

FIRST IMPLEMENTATION PRIORITIES



MONITOR: Develop scope of work for Kiawah Conservancy's baseline monitoring efforts.



PROTECT: Propose revisions to marsh-related elements of Town Code.



ENGAGE: Schedule outreach activities over the 18-month time horizon



RESTORE: Take action to manage marsh access and erosion near the causeway entrance (page 39).

Literature Cited

Sweet, W.V., B.D. Hamlington, R.E. Kopp, C.P. Weaver, P.L. Barnard, D. Bekaert, W. Brooks, M. Craghan, G. Dusek, T. Frederikse, G. Garner, A.S. Genz, J.P. Krasting, E. Larour, D. Marcy, J.J. Marra, J. Obeysekera, M. Osler, M. Pendleton, D. Roman, L. Schmied, W. Veatch, K.D. White, and C. Zuzak, 2022: Global and Regional Sea Level Rise Scenarios for the United States: Updated Mean Projections and Extreme Water Level Probabilities Along U.S. Coastlines. NOAA Technical Report NOS 01. National Oceanic and Atmospheric Administration, National Ocean Service, Silver Spring, MD, 111 pp.

TIKA Environmental Committee. 2018. Flood Mitigation and Sea Level Rise Adaptation for Kiawah Island, SC

Wasson, K., Ganju, N.K., Defne, Z., Endris, C., Elsey-Quirk, T., Thorne, K.M., Freeman, C.M., Guntenspergen, G., Nowacki, D.J. and Raposa, K.B., 2019. Understanding tidal marsh trajectories: Evaluation of multiple indicators of marsh persistence. *Environmental Research Letters*, 14(12), p.124073.



TAB 3

TOWN COUNCIL

Agenda Item

TOWN OF KIAWAH ISLAND
2023 Town Meeting Schedules*

All meetings are held at the Municipal Center located at 4475 Betsy Kerrison Parkway, Kiawah Island, SC. Schedules are also available at www.kiawahisland.org or by calling 843-768-9166.

Town Council
Meetings at 2:00 pm

January 10th
February 2nd – Council Retreat
February 3rd – Council Retreat
February 7th
March 7th
April 4th
May 2nd
June 6th
July 11th
August 1st
September 5th
October 3rd
November 7th
December 5th

Arts & Cultural Events Council
Meetings at 2:00 pm

January 5th
February 2nd – Planning Session
February 16th – Planning Session
March 2nd
April 6th
May 4th
June 1st
August 3rd
September 7th
October 5th
November 2nd
December 7th

Arts Council Board
Meetings at 10:00 am

January 9th
April 3rd
July 10th
October 2nd

Board of Zoning Appeals
Meetings at 3:00 pm

January 30th
February 13th
March 20th
April 17th
May 15th
June 19th
July 17th
August 21st
September 18th
October 16th
November 13th
December 11th

Environmental Committee
Meetings at 2:00 pm

February 15th
April 12th
June 14th
August 9th
October 11th
December 13th

Planning Commission
Meetings at 3:00 pm

January 11th
February 8th
March 8th
April 5th
May 3rd
June 7th
July 12th
August 2nd
September 6th
October 4th
November 8th
December 6th

Public Safety Committee
Meetings at 11:30 am

January 18th
February 15th
March 15th
April 12th
May 10th
June 14th
July 19th
August 9th
September 13th
October 11th
November 15th
December 13th

Ways and Means Committee
Meetings at 3:00 pm

January 23rd
February 27th
March 27th
April 24th
May 22nd
June 26th
July 24th
August 28th
September 25th
October 23rd
November 20th
December 18th

CERT Team
Meetings at 3:00 pm

January 25th
April 19th
July 26th
October 25th

*Rescheduled meetings will be posted on the website



TAB 4

TOWN COUNCIL

Agenda Item

Sec. 2-505. Town treasurer.

- (a) At the first regular meeting of the council following the inauguration meeting, the council shall appoint an officer to be known as the town treasurer, who shall hold office at the pleasure of council or until a successor is duly appointed and qualified.
- (b) Before entering upon the duties of office, the town treasurer shall enter into a bond in such sum as shall be approved by the council for the faithful performance of the duties of the office.
- (c) The town treasurer shall perform the following duties:
 - (1) Collect all claims and accounts that may be due and payable to the town;
 - (2) Receive all money belonging to the town;
 - (3) Issue all licenses and badges for which provision may be made and collect all fees for licenses that may be imposed;
 - (4) Pay all bills owed by the town when approved by council;
 - (5) Deposit funds in banks as designated by council;
 - (6) Make statements as to the financial condition of the town as ordered by the council;
 - (7) Keep account of all money and accounts and inventories of town property, real and personal, and report to council as requested;
 - (8) Maintain a record of all town capital assets;
 - (9) Prepare a town budget as requested by the town; and
 - (10) Perform such other duties as may be required by the council.

(Code 1993, § 2-505)

State law reference(s)—Municipal treasurer, S.C. Code of Laws 1976, § 5-9-40.



TAB 5

TOWN COUNCIL

Agenda Item

Sec. 2-503. Town clerk.

- (a) At the first regular meeting of the council following the inauguration meeting, the council shall appoint an officer to be known as the town clerk, who shall hold office at the pleasure of the council or until a successor is duly appointed and qualified.
- (b) The town clerk shall perform the following duties:
 - (1) Give notice to the members of the council of regular and special meetings of the council;
 - (2) Attend all meetings of the council, keep minutes of the proceedings of the council, and maintain the minutes in a book to be known as "The Minutes of the Meetings of the Town Council of the Town of Kiawah Island, South Carolina";
 - (3) Have custody of the seal of the town; and
 - (4) Schedule the use of public buildings.
- (c) The town clerk shall act as secretary for the mayor and council. As such, the town clerk must have sound secretarial skills.
- (d) The town clerk shall handle other clerical duties as required by the mayor or council.
- (e) The town clerk shall perform such other duties as may be required by the council.

(Code 1993, § 2-503)

State law reference(s)—Municipal clerk, S.C. Code of Laws 1976, § 5-7-220.



TAB 6

TOWN COUNCIL

Agenda Item

Sec. 2-504. Town attorney.

- (a) At the first regular meeting of the council following the inauguration meeting, the council shall appoint an officer to be known as the town attorney, who shall hold office at the pleasure of council or until a successor is duly appointed and qualified.
- (b) The town attorney must be a member of the South Carolina Bar and be admitted to practice law in South Carolina.
- (c) It shall be the duty of the town attorney whenever called upon by council, or the necessity arises, to give his advice and direction to the council, or any member thereof, or to the town clerk on any and all legal questions which may arise in the course of the administration of the town government, or in the discharge of the duties of their respective offices; and whenever required to do so by the council, he shall give his legal opinion in writing. He shall draw or supervise the drawing or drafting of all ordinances, and other instruments of writing relative to the business of the town when required to do so by the council or any member thereof; and shall, whenever notified to do so, attend the meetings of the council and shall perform such other duties as required by the council. The town attorney shall receive such compensation for the discharge of his duties as fixed by the council.

(Code 1993, § 2-504)

State law reference(s)—Municipal attorney, S.C. Code of Laws 1976, § 5-7-230.



TAB 7

TOWN COUNCIL

Agenda Item

Arts & Cultural Events Council

The Arts and Cultural Events Council work to enhance community appreciation and involvement in the visual and performing arts within the Town of Kiawah Island and its environs by providing a diversity of planned programs. They work to develop relationships with arts organizations, plan; implement an arts calendar and inform the community of planned events.

MEETING TIMES

Monthly, every 1st Thursday at 2:00pm



TOWN OF *Kiawah Island*®

4475 Betsy Kerrison Parkway | Kiawah Island, SC 29455 | (843) 768-9166 | Fax (843) 768-4764 | www.kiawahisland.org

2023

ARTS & CULTURAL EVENTS COUNCIL

Committee members are appointed by Town Council and serve one year terms.

All terms expire on January 31.

David Wohl, Vice Chairman

157 Governors Drive
Kiawah Island, SC 29455
304-552-9060 cell
Dwohl23@gmail.com

Bill Blizard

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billblizard@gmail.com

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Becky Hilstad

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Van McCollum

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vanmccollum982@gmail.com

Jodi Rush

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jrush25@comcast.net

Joan Collar

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Kiawah Island, SC 29455
843-768-0474
843-224-9455 cell
jcfromsc@aol.com

Kristin Thompson

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Kiawah Island, SC 29455
443-254-8616 cell
kristin@rhettbluff.com

Dylan Keith

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Kiawah Island, SC 29455
843-885-4077 cell
dylan@dylan-k.com

Kimberly Adele

4752 Tennis Club Lane
Kiawah Island, SC 29455
843-885-4072 cell
info@cirqueduo.com

Arts & Cultural Events Coordinator & Chairman

Ruthie Foster

843-768-9976
864-906-2060 cell
rfoster@kiawahisland.org

TOWN OF KIAWAH ISLAND
Arts and Cultural Events Committee
COMMITTEE CHARTER and POLICY

1. The “Arts and Cultural Events Council for the Town of Kiawah Island” (hereinafter, the “ACEC”) shall be a standing committee of the Town Council and shall advise the Town on matters relating to the planning, development, organization and implementation of activities relating to the visual and performing arts.
2. The ACEC shall work to enhance community, visitor and tourist appreciation and involvement in the visual and performing arts within the Town of Kiawah Island and its environs by providing a diversity of planned and budgeted programming, services, support and cultural education for all the members of the Kiawah community.
3. A member of Town Council shall have oversight responsibility and serve as Committee Chairman. The remaining membership shall be comprised of at least five (5) but not more than nine (9) persons appointed by the Mayor with consent of the Town Council. Such appointees shall be volunteers who profess interest in the activities of the ACEC. Terms for the members of the committee shall be for one year and expire annually on January 31. Committee members may be reappointed for successive terms as approved by the Mayor and Town Council.
 - a. The Town Council may appoint up to 3 advisory members to the ACEC to assist and support the Committee.
4. In the discharge of its duties, the ACEC shall:
 - a. Develop long range plans and budgets annually for review and approval of Town Council.
 - b. Work to enhance community appreciation of arts and cultural events and involvement within the town and environments.
 - c. Work to enhance visitor and tourist appreciation and involvement within the Town and environments.
 - d. Publish an annual report detailing activities, expenditures and impact to the tourist trade on Kiawah for applicable events.
 - e. Developing relationships with local, state, regional and national arts organizations.
 - f. Developing relationships with schools, businesses and other organizations supporting the arts.
5. The funding sources for the ACEC will be derived from:
 - a. General Fund...The primary source of funding for Resident related events

- b. Local, County and Hospitality Tax Funds will be the primary source of funding for Tourist and Visitor related events.
 - c. Funding levels will be determined through the budget process.
- 6. The ACEC will utilize a variety of methods, including advertisement in a newspaper of general publication, to attract and solicit interest from local and national talent for events. A comprehensive schedule of events for both residents and tourists will be submitted to the Town Council for their review and concurrence. This submittal should coincide with the budgeting process timetable.

7. Application Process

Applications to the ACEC for tourism and visitor related activities will be published on the Town website at www.kiawahisland.org. The ACEC will review applications to the ACEC Fund annually during the budget process. The committee will recommend events and funding levels in budget format to the Ways and Means Committee. The Ways & Means committee will recommend funding requests to Town Council for final approval. The requesting organization will be notified in writing of the Council's decision by the Town Treasurer.

8. Contracting

Each funded event shall be bound by a Town of Kiawah Island Special Events contract.

9. Payment Terms

Payment will be made directly to the requesting organizations in the form of check consistent with contract terms. Payment in full shall not be made until after the performances. Payments will not be sent to third parties or individuals.

Audit Committee

The Audit Committee assist the Mayor and the Town Council in fulfilling its responsibility to provide oversight of management regarding the Town's systems of internal controls and risk management; the integrity of the Town's financial statements; the Town's compliance with legal and regulatory requirements and ethical standards; and the engagement, independence and performance of the Town's independent auditors.

MEETING TIMES

As needed, usually during the annual audit

2023 AUDIT COMMITTEE

Members are appointed by the Mayor and Town Council and serve for one year terms. Terms expire on January 31.

Michael Heidingsfelder, Chairman

3 Shell Creek Landing
Kiawah Island, SC 29455
(248) 996-0704
mheidingsfelder@kiawahisland.org

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James A Williams

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Pamela A. Pollitt

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Kiawah Island, SC 29455
(843) 768-8619
papollitt@yahoo.com

***Mark W. Reynolds**

434 Snowy Egret Lane
Kiawah Island, SC 29455
(980) 867-0052
reynoldsmw@aol.com

Dorota Szubert, Town Treasurer

4475 Betsy Kerrison Parkway
Kiawah Island, SC 29455
(843) 768-9166
dszubert@kiawahisland.org

***new member to be approved**

Mark W. Reynolds, C.P.A.

980-867-0052 (c) • reynoldsmw@aol.com

Senior Finance Executive

Results-oriented finance executive with over thirty years of diverse and expanding leadership and management experience. Excellent leadership, communication, interpersonal and team-building skills which have enabled the development and implementation of complex solutions and execution on organizational transformation. Considered a critical partner in cross-organizational initiatives and has a demonstrated track record of success within rapidly changing, challenging and pressured environments.

Management Competencies and Areas of Expertise

- Development of High-Performing and Sustaining Teams
- Problem Solving and Analytical Capabilities
- Financial Management including Budgeting and Forecasting
- SEC and Regulatory Reporting
- Process and Change Management
- Business Systems Implementation and Integration
- Accounting and Reporting Systems Management
- Internal Controls

Professional Experience

Wells Fargo & Company (WFC) - Charlotte, North Carolina

2001 - Feb., 2021

Wells Fargo & Company (NYSE: WFC)

Executive Vice President / Financial Accounting Functional Leader

2016 – Feb., 2021

High impact executive with diverse background leading accounting, analytics and business systems teams. Focus areas included capital markets, broker dealer, derivative, hedging, consolidations and staff functions accounting as well as independent price validation and business support for the Oracle general ledger. Also provided support to FP&A, finance, operations, investor relations, technology and data teams and played a collaborative role in executing corporate-wide projects, financial system changes and organizational deliverables. Directly managed a team of over 500 professionals, both onshore and offshore, with an annual budget of over \$75 million.

- Built an Independent Price Validation team with both an onshore and offshore presence increasing depth and breadth of product coverage as well as related analytics through automation while improving the control environment.
- Implemented a regulatory data repository, coupled with an Accounting Engine which addressed the Company's instrument-level data challenges related to regulatory reporting. Accounting engine, where implemented, also automated substantially all manual accounting entries which were the result of system of record limitations, greatly enhancing efficiency and strengthening the related accounting controls.
- Developed leaders that have accepted increasing levels of responsibility and have successfully moved into leadership roles within the Finance organization and into other parts of the organization.
- Achieved savings through movement of work to offshore teams to support broader Finance organization while maintaining operational effectiveness and the related control environment.

Corporate Accounting Manager

2009 – 2016

Led team responsible for monthly general ledger close, including consolidations and internal reporting and analysis, business systems support for Oracle General Ledger and related tools, business systems support for Essbase Business Intelligence applications, regulatory capital disclosures and parent accounting and reporting.

- Built a highly qualified and engaged team of approximately 200 accounting, analytics and business system professionals.
- Led the General Accounting work effort related to Wells Fargo's Efficiency effort which was instrumental in development of the Controllers Target Operating Model.
- Led the Enterprise Regulatory Capital Team and transitioned team from functioning in a "project environment" to an on-going production team. This included implementation of significantly enhanced controls which resulted in a more predictable and repeatable process and substantially improved relations with stakeholders across the Company.

- Led the data management and maintenance initiative focused primarily on instrument-level information utilized in regulatory capital reporting. This initiative resulted in increased data quality through focused attention and projects to remediate and/or implement processes and controls around instrument-level data.
- Automated the inter-company elimination and consolidations process creating efficiencies that enable the Consolidations team to focus on analysis, business support and partnering with business groups to help them modify their existing processes to take full advantage of automation.
- Reduced the corporate closing process by three days through more efficient technology and processes, providing senior management more time to effectively prepare for quarter-end public earnings disclosures.
- Co-led the Account Reconciliation Center of Excellence project strategic vision and initial implementation before moving the project to a centralized team for final implementation and on-going operational support. Project centralized general ledger account reconciliations providing increased controls and oversight over reconciliations and outstanding items in addition to creating efficiencies.
- Managed the integration of the legacy Wachovia and Wells Fargo general ledgers which increased the operational efficiency of the accounting and technology teams through significantly updated features and functionality that provided the ability to sunset the legacy general ledger. Further, established a team which provides operational and business development support of general ledger and related tools including 24/7 ledger support, maximizing offshore capabilities.
- Served on the Integration Leadership Team as the Wachovia Finance Transition Leader for the Wells Fargo / Wachovia merger managing key finance and accounting related integration points and ensured an effective integration process.

Wachovia Corporation

Senior Vice President, Director of Corporate Accounting 2004 - 2009

Product Controller Group Head – Treasury Services and International 2001 - 2004

Groundswell, Inc. – San Francisco, California 1999 - 2001

Vice President – Finance

First Union Corporation (Now Wells Fargo & Company) - Charlotte, North Carolina 1998 - 1999

Vice President, Accounting – Capital Markets Group

Price Waterhouse LLP - Charlotte, North Carolina 1996 - 1998

Senior Manager

Lyondell Petrochemical Company - Houston, Texas 1993 - 1996

Business Analyst 1995 - 1996

Manager – Financial Reporting and Consolidations 1993 - 1995

Price Waterhouse LLP - Houston, Texas 1988 - 1993

Audit Manager

Professional Affiliation

CPA – State of Texas

Education

Master of Science – Accounting; Texas A&M University

Bachelor of Business Administration – Finance; Texas A&M University

TOWN OF KIAWAH ISLAND AUDIT COMMITTEE CHARTER

I. PURPOSE

The Audit Committee (the “Committee”) shall assist the Mayor and the Town Council (the “Council”) of The Town of Kiawah Island (the “Town”) in fulfilling its responsibility to provide oversight of management regarding: (1) the Town’s systems of internal controls and risk management; (2) the integrity of the Town’s financial statements; (3) the Town’s compliance with legal and regulatory requirements and ethical standards; and (4) the engagement, independence and performance of the Town’s independent auditors. **The formation and activities of the Audit Committee in no way diminish or replace the preceding responsibilities of the Council.**

II. MEMBERSHIP

The Committee shall consist of one member of the Council as Chair. The Chair of the Committee shall be designated by the Mayor and approved by the Town Council and shall preside at meetings of the Committee. In addition, two to four members of the community nominated by the Chair and approved by the Council shall serve on the Committee.

Committee members shall have a proven expertise in finance, accounting, and the review of financial statements. At least one member of the Committee shall have a sophisticated understanding of auditing, financial controls, financial reporting and accounting as determined by the Council.

III. MEETINGS AND QUORUM

The Committee shall meet on a regularly scheduled basis, at least two times per year. Additionally, meetings may be requested by a Committee member or as circumstances dictate. The Committee shall meet at least twice each year with the independent auditor in separate executive sessions to provide the opportunity for full and frank discussion with or without staff members present.

Notice of meetings shall be given to all Committee members and the public. Meetings of the Committee may be held by means of conference telephone or other communications equipment by means of which all persons participating in the meeting can hear and speak to each other. A majority of the members of the Committee shall constitute a quorum. The act of a majority of the Committee members present at a meeting at which a quorum is present shall be the act of the Committee.

III. AUTHORITY

The Committee’s role is one of oversight. The Town’s senior staff including the Treasurer and Administrator (“management”) are responsible for preparing the Town’s financial statements and the independent auditors are responsible for auditing those financial statements. The Committee recognizes that management, including the finance staff and the independent auditors, have more time, knowledge and detailed information about the Town than do the Committee members. Consequently, in carrying out its oversight responsibilities, the Committee is not providing any expert or special assurance

as to the Town's financial statements or any professional certification as to the independent auditor's work.

In discharging its role, the Committee is empowered to inquire into any matter it considers appropriate to carry out its responsibilities, with access to all books, records, facilities and personnel of the Town. In addition to retaining the Town's independent auditor, the Committee shall have the power, with the approval of Council, to retain outside counsel, other auditors or other advisors to assist it in carrying out its activities. The Town shall provide adequate resources to support the Committee's activities. The Committee shall have the authority, with the approval of Council, to retain, compensate, direct, oversee and terminate the Town's independent auditor and any counsel, other auditors and other advisors hired to assist the Committee, who shall be accountable ultimately to the Committee.

The Committee may request any person including, but not limited to, any officer or employee of the Town or the independent auditor, to attend Committee meetings or to meet with any members of, or advisors to, the Committee.

V. KEY RESPONSIBILITIES

As approved by Council, the Committee shall undertake the following responsibilities, which are set forth as a guide. The Committee is authorized to carry out these activities and other actions reasonably related to the Committee's purposes or assigned by the Council from time to time.

A. Independent Audit

1. Recommend the appointment and review the terms of the independent auditor's retention, engagement and scope of the annual audit, pre-approve any audit-related and non-audit services (including the fees and terms thereof) to be provided by the independent auditor, and, in connection with any pre-approval of services related to internal control over financial reporting, discuss with the independent auditor the potential effects of such services on the independence of the auditor, and evaluate and oversee the work of, the independent auditor who shall report directly to the Committee, and, if appropriate, terminate the independent auditor's engagement;
2. Review and confirm the independence of the independent auditor annually by obtaining and reviewing a report from the independent auditor delineating all relationships between the independent auditor and the Town and discussing with the independent auditor any such disclosed relationships and their impact on the independent auditor's independence, and by obtaining the auditor's assertion of independence in accordance with professional standards;

3. At least every five years, review and recommend to Council the terms of the independent auditor's retention, including a review of fees charged by the auditors for the annual audits;
4. At least annually, review a report from the independent auditor describing the auditing firm's internal quality-control procedures and any material issues raised by the most recent quality-control review of the firm, or by any inquiry or investigation by governmental or professional authorities within the preceding five years, with respect to one or more independent audits carried out by the firm and any steps taken to deal with any such issues;
5. Review with the independent auditor any problems the auditor has encountered performing the audit, any management letter provided and the Town's response to that letter, and matters that the independent auditor is required to communicate to the Committee; and
6. Review and discuss with Council and senior staff, the independent auditor any significant findings during the year, any restrictions on the scope of activities or access to required information, any changes required in the scope of the audit plan, the audit budget and staffing and, coordination of audit efforts.

B. Internal Control and Risk Oversight

1. Review and discuss with management and the independent auditor the adequacy of the Town's internal controls and the Town's major financial risks or any significant exposures and assess the steps management has taken to minimize such exposures;
2. Review and discuss with management and the independent auditor the Town's policies with respect to risk assessment and risk management;
3. Oversee compliance with and review the effectiveness of the Town's internal control systems, including through regular executive sessions, whether internal control recommendations identified by internal and independent auditors have been implemented by management; and
4. Establish and oversee procedures for the receipt, retention and treatment of complaints regarding accounting, internal controls, or auditing matters and the confidential, anonymous submission by employees of concerns regarding questionable accounting or auditing matters.

C. Financial Reporting

1. Review and discuss with management and the independent auditor all critical accounting policies and practices used by the Town and any significant changes in the Town's accounting policies;
2. Review with the independent auditor significant accounting and reporting issues, including recent professional and regulatory pronouncements, understand their impact on the financial statements, and ensure that all such issues have been considered in the preparation of the financial statements;
3. Review issues related to judgments made involving valuation of assets and liabilities, and commitments and contingencies;
4. Review with management the annual financial statements, the annual audit report and recommendations of the independent auditor, including any audit problems or difficulties, and management's response;
5. Review with management and the independent auditor any complex and/or unusual transactions or other significant matters or events not in the ordinary course of business; and
6. Annually review with management and the external tax advisor any issues or judgmental areas relating to the Town's tax compliance.

D. Oversight of Legal and Ethical Compliance

1. Review periodically with the Town's legal counsel the scope and effectiveness of the Town's legal and regulatory compliance policies and programs, and ethical standards and policies;
2. Oversee legal and regulatory compliance and compliance with ethical standards and policies, including the Conflict of Interest Policy, and forward reports of non-compliance to Council;
3. Review and discuss with management and the auditors any possible areas of noncompliance with laws or policies and ensure that management follows up with relevant procedures where appropriate;
4. Ensure through inquiry and other appropriate means that management is communicating to the Town's staff the importance of the Town's values, code of conduct and ethics, and internal controls; and
5. Review, discuss with management and the independent auditor, and recommend a course of action to Council regarding any transactions or courses of dealing with related persons (*e.g.*, including elected officials, executive officers, their immediate family members) that are significant in size or

involve terms or other aspects that would likely be negotiated with independent parties, involving any safeguards or additional procedures to be applied in such circumstances.

E. Other Responsibilities

Maintain minutes of meetings and periodically report Committee findings, recommendations and actions to the Council, including on any issues that arise with respect to the quality or integrity of the Town's financial statements, the performance and independence of the independent auditors and the performance of the internal audit function, the Town's compliance with legal or regulatory requirements and its ethical standards and policies, and any other matters the Committee deems appropriate for the Council.

Public Safety Committee

The Public Safety Committee is responsible for assisting the Town in meeting its state-mandated responsibilities with regard to maintaining order and law enforcement and to initiate and consider proposals and methods to upgrade and improve public safety on the Island and to manage our beach safety.

MEETING TIMES

Monthly, every 2nd Wednesday at 11:30 am

2023

Public Safety Committee

Members are appointed by the Mayor and Town Council and serve for one year terms. A member of Town Council shall serve as Committee Chairman. Terms expire January 31st.

Craig Harris, Chairman

Public Safety Director
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Mark Ruppel

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Yvonne Johnstone

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Bill Thomae

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Nancy Robison

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Dwight Williams

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Bonnie MacDonald

146 Hooded Merganser Court
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Russell Berner

Council Liaison
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Town of Kiawah Island
Public Safety Committee
Charter

- I.** The mission of the Public Safety Committee is to assist the Town in meeting its state-mandated responsibilities to its citizens with regard to maintaining peace and order, and law enforcement, as set forth in Title 5 of the State of South Carolina Code of Laws and to initiate and consider proposals and methods to upgrade and improve public safety on the Island.
- II.** The Public Safety Director shall have oversight responsibility for public safety serving as Committee Chairman and not less than 4 nor more than 7 permanent residents and representatives from organizations with similar interests shall serve as members. A member of Town Council shall serve as liaison.
- III.** The members of the Public Safety Committee shall be approved by the Mayor and Town Council.
- IV.** The term for the members of the committee shall be for one year and expire annually on January 31. Committee members may be reappointed for successive terms as approved by the Mayor and Town Council.
- V.** The Committee will perform the following functions:
 - A.** Coordinate Town public safety and security activities with all other island security services.
 - B.** Serve as liaison with the St. Johns Fire District, Charleston County Emergency Medical Services, and the Charleston County Sheriff's Office Supervisor of the Town's contracted CCSO deputies.
 - C.** Monitor the performance and activities of the Towns contract beach patrol service.
 - D.** Monitor the Code Enforcement activities of the Town for all areas within its jurisdiction.
 - E.** Devise a long-term island security plan.
 - F.** Ensure that in the event of natural disaster, appropriate plans are in force to accommodate evacuation, emergency law enforcement and any other services required to ensure the personal safety of all citizens, property owners, and visitors to Kiawah Island, and to secure all properties within the boundaries of the jurisdiction of the Town.
 - G.** At the will and direction of Town Council, engage in any activities, investigations, analyses, etc. relating to public welfare and safety.
 - H.** Make recommendations to Town Council on ways to improve the quality of public safety on the Island.
- VI.** Committee meetings shall be noticed and open to the public as is required by State law. In addition to committee members, other invited guests and special consultants may participate from time to time.
- VII.** The Committee will be responsible to the Town Council and has no authority to spend funds or supervise staff except as approved by Town Council. Annually, the Committee will prepare a budget request covering committee activities for submittal to Town Council for approval and inclusion in the overall budget, if appropriate. The Committee Chairman or Town Council Liaison shall report to Town Council on regular Town Council meeting dates.

State Accommodations Tax Committee

The Accommodations Tax Committee meets annually to consider SATAX applications and make recommendations to the Ways and Means Committee on how the Town's tourism-related funding should be allocated during the following budget year.

MEETING TIMES

Annually, usually in April, date and time determined by the Chairman and Staff

2023

SATAX Committee

STATE ACCOMMODATIONS TAX

The members serve a one-year term expiring on January 31st and are appointed by the Mayor and Town Council

John Moffitt, Chairman

Non-voting Member

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Jodi Rush

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David Wohl

Arts Council

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Don Semmler

Andell Inn

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Steven Ellis

Akers Ellis Real Estate & Rentals

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Dorota Szubert

Town Treasurer

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John Wilson

Property Owner

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Town of Kiawah Island
State Accommodations Tax Committee

SECTION 6-4-25. Advisory Committee; guidelines for expenditures; annual reports; reports to Accommodations Tax Oversight Committee.

(A) A municipality or county receiving more than fifty thousand dollars in revenue from the accommodations tax in county areas collecting more than fifty thousand dollars shall appoint an advisory committee to make recommendations on the expenditure of revenue generated from the accommodations tax. The advisory committee consists of seven members with a majority being selected from the hospitality industry of the municipality or county receiving the revenue. At least two of the hospitality industry members must be from the lodging industry where applicable. One member shall represent the cultural organizations of the municipality or county receiving the revenue. For county advisory committees, members shall represent the geographic area where the majority of the revenue is derived. However, if a county which receives more in distributions of accommodations taxes than it collects in accommodations taxes, the membership of its advisory committee must be representative of all areas of the county with a majority of the membership coming from no one area.

(B) A municipality or county and its advisory committee shall adopt guidelines to fit the needs and time schedules of the area. The guidelines must include the requirements for applications for funds from the special fund used for tourism-related expenditures. A recipient's application must be reviewed by an advisory committee before it receives funds from a county or municipality.

(C) Advisory committees shall submit written recommendations to a municipality or county at least once annually. The recommendations must be considered by the municipality or county in conjunction with the requirements of this chapter.

(D) Municipalities and counties annually shall submit to the South Carolina Accommodations Tax Oversight Committee:

(1) end-of-the-year report detailing advisory committee accommodations tax recommendations;

(2) municipality's or county's action following the recommendations;

(3) list of how funds from the accommodations tax are spent, except for the first twenty-five thousand dollars and five percent of the balance in Section 6-4-10(2) allocated to the general fund. The list is due before October first and must include funds received and dispersed during the previous fiscal year;

(4) list of advisory committee members noting the chairman, business address if applicable, and representation of the hospitality industry including the lodging industry and cultural interests.

(E) The regional tourism agencies in Section 6-4-20 annually shall submit reports on their budgets and annual expenditure of accommodations tax funds pursuant to this chapter to the Accommodations Tax Oversight Committee.

HISTORY: 1991 Act No. 147, Section 1; 2002 Act No. 312, Section 3.