

WAYS & MEANS COMMITTEE MEETING

Kiawah Island Municipal Center

Council Chambers

July 11, 2023; 10:00 am

AGENDA

I. **Call to Order:** *Chairman Moffitt called the meeting to order at 10:00 am.*

II. **Pledge of Allegiance**

III. **Roll Call:**

Present at Meeting: John Moffitt, *Chairman*
John D. Labriola, *Mayor*
Brad Belt, *Committee Member*
Russell Berner, *Committee Member*

Present Via Zoom: Michael Heidingsfelder, *Committee Member*

Also Present: Stephanie Tillerson, *Town Administrator*
Dorota Szubert, *Finance Director*
Brian Gottshalk, *Public Works Manager*
John Taylor, Jr., *Planning Manager*
Jim Jordan, *Town Biologist*

IV. **Approval of Minutes:**

A. Ways and Means Committee Meeting of June 6, 2023

Committee Member Heidingsfelder made a motion to approve the minutes of the June 6, 2023, Ways and Means Committee meeting. Mayor Labriola seconded the motion, and it was unanimously approved.

V. **Citizens' Comments (Agenda Items Only): Limited to 15 Minutes.**

Each speaker shall be limited to five minutes

None

VI. **Old Business:**

None

VII. **New Business:**

A. Review and Recommendation to Town Council for Approval to Conduct a Survey a Beachwalker Drive

Mr. Gottshalk stated that at the June Ways and Means meeting, Committee members directed Staff to research to see if any surveys exist for Beachwalker Drive. Staff talked to BEC (Berkeley Electric Coop) and KICA (Kiawah Island Community Association) and reviewed what the Town currently has in-house regarding as-builts or surveys. BEC only has information showing the right-of-way but nothing to show property lines for the Town or adjacent properties, the survey that KICA has on file is from the late 1970s, which we feel is too outdated to use, and the most current survey of the Town has is from 1996.

It is the Staff's recommendation to proceed with obtaining a current survey of the entire road to have one clear and concise set. As the activity along Beachwalker Drive continues to grow, it is important to have a clear and up-to-date survey of this area's topography, rights-of-way, and utilities. Staff contacted Southeastern Land Surveying, LLC and A.H. Schwacke & Associates Inc to provide quotes for the all-inclusive work for rights of way, tree, and topography surveys. Neither firm could survey underground utilities, so they both included quotes from a subcontractor, Lowcountry Locating, LLC, to provide the survey for utilities. The breakdown of quotes is as follows:

- Southeastern Land Surveying, LLC + Lowcountry Locating, LLC: \$18,720
- A.H. Schwacke & Associates, Inc + Lowcountry Locating, LLC: \$30,750

Staff requests that the Ways and Means Committee recommend Town Council approve the quote from Southeastern Land Surveying, LLC for Beachwalker Drive. This work would be funded through 70% Restricted Funds and 30% General Funds if approved as a capital project.

Mayor Labriola made a motion to recommend to Town Council the approval of the proposal from Southeastern Land Surveying, LLC, to conduct a survey of Beachwalker Drive. Committee Member Berner seconded the motion.

Following a brief discussion, the motion was unanimously approved.

B. Review and Recommendation to Town Council for Approval of the Beachwalker Drive Landscape Enhancement Project with Artigues Landscaping and Maintenance

Mr. Gottshalk stated that in April, Council approved an Outdoor Spatial Design (OSD) proposal to develop a landscape design for improvements at the municipal complex, a portion of the Kiawah Island Parkway, and Beachwalker Drive. Since this approval, OSD has worked with Staff, the Town's landscape maintenance contractor, Artigues Landscape, and community members to get feedback to help direct their design, specifically for Beachwalker Drive.

Working with the documents provided by OSD, Artigues Landscape provided Staff with a proposal for the landscape improvements. The proposal amount of \$151,305.85 includes a \$10,000 allowance for irrigation inspection and modification based on the new plant layout and a warranty in perpetuity on all newly installed plant material along Beachwalker Drive to remain consistent with the standing maintenance contract with the Town. Artigues Landscape would continue to work with OSD and Staff through project inspection, site prep, and installation to ensure a product that satisfies our expectations.

An amount of \$200,000.00 was budgeted for the project, so Staff is requesting that the Ways and Means Committee recommend to Town Council the approval of the proposal from Artigues Landscape for the proposed scope of work and cost of \$151,305.85. If approved, this project will be funded 70% from restricted funds and 30% from the general fund.

Mayor Labriola made a motion to recommend to Town Council the approval of the Beachwalker Drive Landscape Enhancement Project with Artigues Landscaping and Maintenance. Committee Member Berner seconded the motion.

Committee Members discussed a proposed timeline for the project, a cost comparison to the Parkway landscape project, landscaping stipulations in the deed, and the project is designed to be consistent with the Parkway landscaping. It was noted that Beachwalker Drive is predominately shaded. It was recommended that the contractor not use the same type of grass planted in shaded areas along the Parkway and are not currently doing well.

Following the discussion, the motion was unanimously approved.

C. Review and Recommendation to Town Council for Approval of the Carolina Waste Contract Amendment

Mr. Gottshalk stated that being the responsible party for the island's health, safety, and welfare, the Town manages the contract for the island's residential and commercial solid waste operations. This includes household trash, recycling, yard debris, and quarterly brown trash disposal.

The Town currently contracts with Carolina Waste for residential and commercial solid waste disposal. The contract has the option for one last 1-year extension before the contract needs to go back out to bid.

Town Staff requests the Ways and Means Committee recommend to Town Council to approve the last extension of the current Carolina Waste contract for solid waste services. If approved, there will be no change to financial data.

Committee Member Berner made a motion to recommend to Town Council the approval of the Carolina Waste Contract amendment. Committee Member Heidingsfelder seconded the motion.

Committee Members discussed the services provided by Carolina Waste, the list of concerns and chronic performance issues, complaints relating to the contamination of recycling, and the actions being taken to mitigate the issues. Also discussed was the possibility of tabling the approval until Staff can address the issues with Carolina Waste, along with including performance criteria in the contract amendment.

Following the discussion, the motion was unanimously approved.

D. Review and Recommendation to Town Council for Approval of the Planning Department Fees

Mr. Taylor stated that the last update was in 2018, with the transition from Charleston County to in-house planning. There was only a minimal change for the original County fees, and no adjustments have been made to the planning fee schedule since then. The purpose of adjusting the planning fee schedule is to offset some of the expenditures associated with the planning permitting procedures and application processing.

The recent change made by the Town, increasing public hearings notification requirements from a 300' radius to a 500' radius, has resulted in an increase in the number of public notification letters and an increase in postal costs. Staff reviewed comparisons to similar municipal jurisdictions' fees as part of the proposed changes.

Mr. Taylor provided a snapshot of the increased number of letters this year and the updated fee schedule. He indicated that the bulk of the proposed changes are under the Boards of Zoning Appeals, along with zoning and comprehensive planning amendments and future planning considerations that include site plan review designations based on the scale of the project. Also included were the planning fees collected in the past three years.

Committee Members questioned the variances in the fees to Charleston County's charges. Mr. Taylor clarified that the charges reflect the additional time required for permit research since Charleston County holds historical files. Committee Member Heidingsfelder questioned if the proposed fees actually cover costs in terms of time and materials by requesting an assessment of the time the planning staff spends on each of the different topics and a comparison of if the fees

align with the time spent. Committee Members engaged in an in-depth discussion of planning activity fees' purpose, calculation, and collection.

Committee Member Heidingsfelder made a motion to table the recommendation of the Planning Fees and have Mr. Taylor bring back a proposal that covers more of the Town's cost for the individual projects. Committee Member Berner seconded the motion, and it was unanimously approved.

E. Review and Recommendation to Town Council for Approval of the Proposal from Elko Consulting to Conduct a Feasibility Study for Improvements to the Kiawah River Public Access

Salt marshes are one of the most productive ecosystems in the world. They serve as the ocean's incubator, providing food, refuge, and nursery habitats for more than 75% of fisheries species. They also provide important protection for shorelines from erosion by buffering wave action and trapping sediments. Salt marshes also reduce flooding by slowing and absorbing rainwater and protect water quality by filtering runoff and metabolizing excess nutrients.

Mr. Jordan stated that the Town and the community have recently focused on the marsh. The Town developed a Marsh Management Plan in 2022. Coming out of the plan was the creation of a Comprehensive Marsh Management Plan (CMMP) workgroup in 2023 to begin implementing components of the plan. The workgroup has discussed areas of concern and is currently focused on three main objectives:

1. Communications
2. Permeable surfaces
3. Kiawah River Bridge access improvements.

The CMMP workgroup has discussed the Kiawah River Bridge Access area and agrees that the area needs modification to enhance public access and protect the surrounding marsh. The workgroup recommends the following:

1. No launching of watercraft,
2. Prevent the public from walking in the marsh,
3. Maintain passive access to the marsh and waterway, likely through an overlook and/or fishing pier.
4. Add interpretive signage in the area,
5. Investigate the need for marsh restoration in damaged areas.

The Kiawah River Bridge Access subcommittee was created from the CMMP workgroup to develop a plan for this area. The subcommittee met on June 29 with Nicole Elko (Elko Coastal Consulting, Inc.) and recommended engaging with Elko Consulting to conduct a feasibility study. The proposal will include an initial assessment of the area, stakeholder engagement, environmental review, conceptual designs of potential structure(s) to allow public access without damage to the marsh, permitting feasibility, and a final report. The timeline is to have a conceptual idea later this fall and the final report in the spring of 2024.

Town Staff requests that the Ways and Means Committee recommend Town Council approve the proposal from Elko Coastal Consulting, Inc for the tasks mentioned earlier for an amount not exceeding \$31,500.00.

Committee Member Berner made a motion to recommend to Town Council the approval of the proposal from Elko Consulting to Conduct a Feasibility Study for Improvements to the Kiawah River Public Access. Mayor Labriola seconded the motion.

Committee Member Berner noted that the presentation materials did not mention the Conservancy's easement. He was concerned that there was no plan to accommodate the easement, which he felt required the Town to solicit the Conservancy's input, and that a vote should be postponed until that occurs. Mr. Jordan clarified that the easement was intentionally left

out of the proposal's scope due to it being a legal matter and reviewed the written opinion from the Town Attorney. Committee Members discussed that before a recommendation to spend monies is made, to meet with the Conservancy and agree on the proposed scope. Mr. Jordan pointed out that both the CMMP workgroup and subcommittee include a Conservancy representative, the proposal came out of the subcommittee, and all members present, including the Conservancy representative, were in favor of moving forward with this proposal. Also noted was the Conservancy's proposal for a marsh restoration plan presented to the Environmental Committee for funding. The Conservancy's proposal was a duplicated effort; therefore, it was combined into the Town's plan and proposal.

Chairman Moffitt made a motion to adjourn the meeting temporarily to enter into a scheduled Town Council Public Hearing on a zoning matter. Committee Member Berner seconded the motion, and it was unanimously approved.

When the meeting resumed, Committee Member Berner made a motion to postpone approval of the Elko proposal until we obtain the Conservancy's agreement to perform the proposed mitigation work at the Kiawah Island Bridge location. There was no second to the motion.

Committee Members further discussed in-depth the purpose of the study proposed, a comparison of the study to the Conservancy's proposal to the Environmental Committee, and why there is a need for the Conservancy's agreement before the study is completed.

Ms. Donna Windham, Executive Director of Kiawah Conservancy, stated she was not at the meeting where it was decided to move this project as a joint project. The two staff members informed her that the project would be tabled because attorneys needed to be brought in to determine how the easement would be read before this proposal was presented. The Conservancy did not get any information about an opinion from the Town's attorney and has not had the opportunity to have legal counsel to make a determination of the impacts and compare the Town Attorney's opinion. Ms. Windham asked that the item be tabled until the Conservancy can have further discussion.

Mr. Jordan again emphasized that nothing in the proposal could violate the easement or have anything to do with what is allowed in the easement. The proposed study is to figure out what is feasible at the site.

Committee Member Heidingsfelder made a motion to table the recommendation of the proposal until there is clear feedback from the Conservancy on if they can support the project under certain conditions. Committee Member Berner seconded the motion, and it was unanimously approved.

VIII. Chairman's Report:

None

IX. Treasurer's Report:

A. Monthly Budget Report

Ms. Szubert stated that the fiscal year has ended, and the accounting staff is working on closing the year. The presented report is not the final report; the final June activity was unavailable at the time of the report preparation. The numbers highlighted are final and will not change; all others are incomplete.

Ms. Szubert indicated that overall, for the fiscal year ending June 30, 2023, the Town's consolidated revenues of \$14.9M are 4% lower when compared to YTD for the last fiscal year, FY2022, and 22%, over the total budgeted revenues for the current year. The main contributor to those positive

variances is Interest Income. With the very conservative approach to the budget, we also project that almost all revenue sources exceed the budget for the current fiscal year.

At the end of June 30, 2023, the expenditures of \$9.8M are 1%, or \$80,000 higher than for fiscal year FY2022 and 85% of the current year budget. While the majority of the expenditures don't reflect final numbers, there are some significant negative variances over the budget that need to be noted:

1. Professional Services cost is higher in the current year due to engagements outside the Town's attorney contract and hiring outside law firms.
2. The consultants' line item is higher, mostly related to the engagement of Lou Hammond & Associates, the communication consultant, after the budget approval.
3. Maintenance cost is higher than budgeted, primarily due to repair works on Kiawah Island Parkway and enhancements at Kestrel Court solid waste center.
4. Capital Outlay cost is higher than budgeted due to the \$80K overage in the Kestrel Court recycling center project.

Committee Member Heidingsfelder questioned if all the invoices had been received and registered from Mr. Wilson and Mr. Appel for their legal services. Ms. Szubert confirmed that invoices are still coming in; the only final expenditure is insurance.

X. Citizens' Comments: Limited to 15 minutes.

Each speaker shall be limited to five minutes

None

XI. Committee Member's Comments:

XII. Adjournment:


Committee Member Berner made a motion to adjourn the meeting at 4:27 pm. The motion was seconded, and it was unanimously approved.

Submitted by,



Petra S. Reynolds, Town Clerk

Approved by,



John Moffitt, Chairman

1/AUG 23

Date